

SIXTY-FIFTH DAY

(Monday, May 17, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word

Absent—Excused

Kennard	Watson
Schwartz	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 13, 1965, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Krueger.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Watson was granted leave of absence for today on account of important business on motion of Senator Hightower.

Bills and Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolution:

H. B. No. 77, A bill to be entitled "An Act relating to regulating the business conduct of persons drilling

water wells; placing the duty and expense of plugging water wells on the owner of the well or on the person having the well drilled; repealing Chapter 458, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

H. C. R. No. 131, In memory of Honorable Ed J. Carpenter.

S. B. No. 401, A bill to be entitled "An Act relating to the terms of office of School Trustees in certain school districts; choosing terms by lots; providing for subsequent elections and filling of vacancies; providing that provisions of this Act shall be cumulative; and declaring an emergency."

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir. I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 29, Granting permission to Eugene A. Megas to sue the State of Texas.

(With amendment.)

S. C. R. No. 30, Granting permission to Gulf Bitulithic Co. to sue the State of Texas.

S. C. R. No. 31, Granting permission to L. H. Lacy and Co. and Frank L. King, Jr., to sue the State of Texas.

S. C. R. No. 32, Granting permission to Texas Bitulithic Co. to sue the State of Texas.

S. C. R. No. 43, Authorizing the Board of Regents of the University of Texas to accept grants, donations, gifts, and matching grants from federal and state agencies for the purpose of adding certain additions to existing buildings at the University of Texas Medical Branch at Galveston, Texas.

S. C. R. No. 51, Relating to the request for permission for Dan M. Schell to bring suit against the State of Texas and the State Highway Department for damages incurred.

S. C. R. No. 100, Memorializing "Senior Citizen Month."

S. C. R. No. 101, Requesting the initiation of a study to determine how the advertising of tourists attractions can be best achieved.

The House has concurred in Senate amendments to House Bill No. 69 by non-record vote.

H. B. No. 88, A bill to be entitled "An Act to prohibit governmental bodies from holding meetings which are closed to the public; defining the term 'governmental body'; making certain exceptions; providing for relief by mandamus or injunction to prevent closed meetings; making unlawful certain acts pertaining to closed meetings and prescribing a penalty therefor; providing for severability; repealing all laws in conflict; and declaring an emergency."

S. B. No. 146, A bill to be entitled "An Act concerning water resources administration and development; amending Acts 1957, 55th Legislature, Chapter 425 relating to the Texas Water Development Board; creating the Texas Water Development Board, providing for its membership and specifically ratifying and confirming all acts heretofore performed by the pre-existing Board of the same name; providing for the method, manner and mechanics of issuing Texas Water Development Bonds; providing anticipatory legislation and amending authority for the Texas Water Development Board in the event Article III, Sec. 49-d of the Constitution is amended; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 145, A bill to be entitled "An Act concerning water resources and water rights and water resources and water rights administration; further amending Article 7477 of the Revised Civil Statutes of Texas, 1925, as amended; changing the name of the Texas Water Commission to the Texas Water Rights Commission; defining certain terms; providing for the appointment and terms of office of the members of the Texas Water Rights Commission; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 80, A bill to be entitled "An Act amending Section 36 of the Texas Trust Act, and particularly Subsections A and B thereof, to eliminate overlapping or conflict with the definitions of Subsection 4 of said

Act; permitting trustees' compensation or commissions and attorney's fees to be charged either against principal or income of a trust, or between both; and declaring an emergency."

S. B. No. 81, A bill to be entitled "An Act adding a New Subsection N to Section 25 of the Texas Trust Act providing that, when by the terms of an instrument containing a trust, a single trustee or a co-trustee is excluded from exercising its judgment in the making or retention of trust investments or in the doing of any other act in the management and administration of the trust, with the power to direct such investments or other acts; etc.; and declaring an emergency."

S. B. No. 459, A bill to be entitled "An Act establishing a juvenile board, an office of chief juvenile probation officer and a probation department in Harris County; and providing that the district clerk of Harris County shall receive support payments for wives and children; and declaring an emergency."

(With amendments.)

S. B. No. 82, A bill to be entitled "An Act amending Sections 12 and 14 of the Texas Trust Act provide that a corporate trustee, executor, administrator or guardian, when authorized by will, trust agreement, other trust instrument, or judicial order, to retain its own capital stock in trust, may purchase fractional shares resulting from stock dividends; etc.; and declaring an emergency."

S. B. No. 83, A bill to be entitled "An Act adding a new Subsection M to Section 25 of the Texas Trust Act authorizing a Texas trustee to appoint an ancillary trustee to administer trust property located in a state other than Texas, or in a foreign country; etc.; and declaring an emergency."

S. B. No. 100, A bill to be entitled "An Act validating all school districts, including all types of junior and regional college districts, together with the boundaries and names thereof; validating the creation, abolition, and conversion of all such school districts, and all changes in boundaries in all such school districts; validating the annexation of territory and the divorcement or separation from municipal control in all municipally con-

trolled school districts; etc.; and declaring an emergency."

S. B. No. 429, A bill to be entitled "An Act transferring and conveying to the Board of Regents of The University of Texas fee simple title to the property described as the East One-half of Outlot No. 63, being Lots 8, 9, 10, 11, 12, 13 and 14 of Division E of the City of Austin, Travis County, Texas; and declaring an emergency."

S. B. No. 102, A bill to be entitled "An Act to amend Title 25 of the Laws of Texas pertaining to the liability of railroads and other carriers and particularly to amend Article 883 of the Revised Civil Statutes of 1925, as heretofore amended; etc.; and declaring an emergency."

S. B. No. 152, A bill to be entitled "An Act authorizing the Commissioners Court of any county bordering on the Gulf of Mexico or the tidewater limits thereof to regulate the speed of motor vehicles on beaches which are open and accessible to the public; and declaring an emergency."

(With amendments.)

S. B. No. 301, A bill to be entitled "An Act to add to the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) a new Article providing that nothing in such code shall prohibit a life insurance company from guaranteeing to the Trustee of a qualified pension or profit-sharing plan to issue individual life insurance policies on other than the term plan upon the lives of participants in the plan without evidence of insurability, and defining 'qualified pension or profit-sharing plan.'"

(With amendments.)

S. B. No. 348, A bill to be entitled "An Act amending Section 3 of Chapter 340, Acts of the 53rd Legislature, Regular Session, 1953, to permit Texas state institutions of the college rank to enter into interagency agreements with the Texas Highway Department providing for the maintenance, improvement, relocation or extension of existing on-campus streets, parking lots, or access-ways; and declaring an emergency."

(With amendments.)

S. B. No. 384, A bill to be entitled "An Act relating to the appointment of county child welfare boards;

amending Section 4, Chapter 194, General Laws, Acts of the 42nd Legislature, Regular Session, 1931; and declaring an emergency."

(With amendments.)

S. B. No. 464, A bill to be entitled "An Act amending Section 1 of Chapter 74, Acts of the 57th Legislature, 3rd Called Session, 1962 (codified as Article 2815g-1c of Vernon's Texas Civil Statutes), to provide that said Chapter 74 shall apply to any school district having all or the major portion of its territory situated within a county having a population of more than one million, two hundred thousand (1,200,000) according to the last preceding Federal Census; providing a saving clause and declaring an emergency."

S. B. No. 471, A bill to be entitled "An Act creating the County Court No. 1 of Galveston County; providing for its jurisdiction, administration and procedures, personnel, judge, and terms; and declaring an emergency."

S. B. No. 497, A bill to be entitled "An Act relating to the salary of the district clerk in certain counties; and declaring an emergency."

S. B. No. 505, A bill to be entitled "An Act authorizing the McAllen Trade Zone, Inc., to establish, operate and maintain a foreign trade zone at McAllen, Hidalgo County, Texas, and other sub-zones; authorizing the McAllen Trade Zone, Inc., to apply to the Foreign Trade Zone Board, Washington, D. C., for a grant to permit the establishment, operation and maintenance of the foreign trade zone and sub-zones in accordance with federal laws and the regulations of the Federal Trade Zone Board; authorizing the acceptance of such grant; and declaring an emergency."

S. B. No. 508, A bill to be entitled "An Act authorizing the Board of Regents of the State Teachers Colleges to accept for the use and benefit of the Southwest Texas State College certain land in Hays County, Texas, to be conveyed by the United States government; making other provisions relating thereto; and declaring an emergency."

S. B. No. 512, A bill to be entitled "An Act amending Section 20, Chapter 404, Acts of the 45th Legislature,

Regular Session, 1937, as amended, relating to the exemption of certain persons from regulation as an engineer; and declaring an emergency."

(With amendments.)

S. B. No. 516, A bill to be entitled "An Act authorizing the Board of Regents of the State Teachers' Colleges to lease on behalf of West Texas State University, certain land to fraternities and sororities; and declaring an emergency."

S. B. No. 527, A bill to be entitled "An Act relating to the authority and responsibilities of and the records kept by the State Commission for the Blind; amending Sections 2 and 2a, Chapter 80, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended; amending Section 2, Chapter 216, Acts of the 49th Legislature, 1945, as amended; amending Section 3, Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended; amending Section 1, Chapter 241, Acts of the 49th Legislature, 1945; and declaring an emergency."

(With amendments.)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Address of Senator Hardeman
Ordered Printed in Senate Journal

The President recognized Senator Krueger and he made the following remarks:

Mr. President. On last Saturday, May 15, 1965, our colleague, Senator Hardeman, spoke at the unveiling of a monument at the graves of Mrs. Margaret Moffette Lea, wife of General Sam Houston, and her mother, Mrs. Nancy Lea, at Independence, in Washington County—the birthplace of Texas Independence.

The address reflects the result of considerable research and is a fitting memorial to the memory of these great women who exercised such a wholesome influence for good on her illustrious husband, General Sam Houston, as he guided the destiny of Texas from Washington-on-the-Brazos until he was compelled to vacate the Executive Mansion in 1861, and for whom Texans shall ever be indebted.

I therefore ask unanimous consent to have the text of Senator Hardeman's address placed in the Senate Journal of today, along with these introductory remarks.

Address of Senator Hardeman at
Unveiling of the Monument of
Mrs. Sam Houston

Address by Dorsey B. Hardeman of San Angelo, at Independence, Texas, May 15, 1965, at the unveiling of monument in memory of Mrs. Sam Houston:

Madam Chairman, Mrs. Decker, Governor and Mrs. Daniel, Members of the Houston family, distinguished guests, ladies and gentlemen:

This particular occasion is so meaningful that the narrator is wholly incapable of evaluating its true significance. It is an honor which few men have been accorded.

To stand before the descendants of Texas' most famous parents, on soil made sacred as the final resting places of Mrs. Houston and her mother, imposes responsibilities and bestirs emotions such as virtually defy mere human fulfillment.

It has been my extreme good fortune to have known Hon. Temple Houston Morrow of Lubbock, a grandson of General and Mrs. Houston, for several years and to have had the honor of his visit to my office in San Angelo. Also, I have been especially gratified to have met his sister, Mrs. Jennie Morrow Decker, the oldest living granddaughter of General and Mrs. Houston, as well as the grandmother of the newest Admiral in the U.S. Navy. It was my pleasure to meet her when I addressed the annual meeting of the Sons of the Republic of Texas a couple of years ago in Houston. And, of course, it is a great pleasure to note the presence of Mrs. Jean Daniel—a great-granddaughter of Mrs. Houston and herself also a charming former First Lady of Texas—and her distinguished husband, former Governor Price Daniel, with whom I began my legislative service twenty-six years ago last January.

Any praise or veneration we may have for these two remarkable women, especially for Margaret, the beloved wife of General Sam Houston, is but a pious tribute to departed worth. She and her mother, Mrs.

Nancy Lea, guided the hand which controlled the destiny of Texas, with gentleness and with unerring judgment, as it emerged from an independent Republic through annexation into membership in the great commonwealth of sovereign states forming the North American Union. Their thrilling endeavors and contributions are beyond the reach of our praise. We can neither add thereto nor detract therefrom.

There wells up within me those emotions that can only come to one whose love and respect for our great heroes and heroines comes from a deep affection and an abiding appreciation for their sacrifices and their unselfish contributions to establish and provide the heritage that is ours—not the least of which, but, rather, first and foremost of that number, are those to whose cherished memories we gather to pay our tribute of love and respect at this time.

The occasions to specifically honor and extoll the life and character and achievements of General Houston have been many and extensive. Yet, perhaps, due credit for much he accomplished, by and through the wise counsel, the companionship and love of her who, twenty-six years his junior, bore him eight children, has been overlooked. Doubtless her modesty and humility would have decreed this as she took her greatest pride in the activities of her illustrious husband.

"The world," General Jackson said, "will take care of Houston's fame," and truly it has. But it is of equal significance that with a loving and understanding hand, and through the proper exercise of Christian influence, the young Alabama bride guided her tempestuous husband, whom his friends said "was totally unfit for domestic happiness." Under her influence, he attained a life of temperance and tolerance and was able to succeed to heights of statesmanship hitherto unscaled and acquire a self-control theretofore unattained. Miss Margaret Moffette Lea thus became the "Conqueress of the Conqueror" as proposed in the toast by a Major Townes at a public dinner in the Lea's home town, honoring the bridegroom, following her marriage to the famous Sam Houston. The Major spoke, prophetically, of Margaret Lea as "if not a better man than General Houston . . . one whom he will admit to be his 'better-half.'"

The young bride and her mother were women of character, of culture and of staunch devotion to their families and church. Their lives are not wholly unlike those of Ruth and her mother, Naomi, whose stories are recorded on the pages of Holy Writ, in the story of Ruth's romance and subsequent marriage to Boaz.

Margaret was modest and "shunned publicity and lived in the shadow of the man whom she idolized." Still, she unquestionably did more to change the ways of the determined and headstrong patriot and to shape the ultimate course of his illustrious career than all other influences combined. She, above all, made a reality of the prediction of General Santa Anna "That the man may consider himself born to no common destiny, who has conquered the Napoleon of the West."

Mrs. Houston gave the General stability, a home and family, none of which he had ever had for long since his childhood. Her most telling effect on his character resulted in his search for a religious faith, to which he could whole-heartedly subscribe. The General finally was able to adopt and accept the faith in which Margaret long had been so devout and in which he remained steadfast thereafter as a member of the Baptist Church.

Margaret graced his home and was an asset to his public life—a popular and respected figure as First Lady during Houston's Presidency of the Republic of Texas in 1842-43, and, as well, during his Governorship of the State from 1859-1861.

She was content to remain in the background during the General's tenure in the United States Senate. She stayed in Texas looking after their growing family and managing the household. She looked after the operation of two large farms and loaned out the surplus profits on sound security, thereby demonstrating her versatility and capabilities to a high degree.

The daughter of well-to-do parents of Perry County, in the fertile blacklands of Alabama, Margaret was born near Marion on April 11, 1819. She was educated at Pleasant Valley Seminary and at Judson Institute, graduating from the latter in 1837. While studying she developed a very strong interest in writing, both prose and poetry, to which she held a strong affinity throughout her life. In addition, she was a musician and pro-

vided the General and their children with restful pleasure and culture as his infrequent respites from Senatorial duties permitted.

At the age of twenty summers, when she met General Houston, who was then forty-six, at Mobile, she is described at this time as being "tall, fair, with brown hair and placid violet eyes." William Carey Crane, who also made her acquaintance that summer of 1839, said of her that "It is no wonder she attracted young hearts. Her manner was winning, her appearance fascinating and her language indicated high intelligence . . . I saw her often and each time felt a higher regard for her graces and virtues."

Little wonder that the General was smitten by this comely damsel and pressed his suit as ardently as he dared. Apparently, and fortunately for Texas and the country, Margaret was equally attracted to the General. Their romance culminated in marriage a year later, despite the formidable opposition of her family. Doubtless the young, accomplished lady saw and accepted the challenge to mold the life of this renowned figure—the Hero of San Jacinto. Their romantic and interesting union of twenty-three years gave General Sam Houston the companionship and love theretofore denied him and channeled his energies to greater service to his country and his fellowman. Margaret thereby set the pattern for the daughters of Texas with and in her devotion to home, to family, to friends and to her adopted State.

That there were trying and precarious times can hardly be denied. Political aspersions and persecution brought heartaches. In one instance, criminal prosecution occurred when Mrs. Houston became the victim of political retribution and was charged with an assault and battery upon a ward, Virginia Thorne. This occurred while Mrs. Houston was managing the farming operations during the General's attendance on the Sessions of the United States Senate. She was successfully defended by the able lawyer and distinguished historian, Henderson Yoakum of Nacogdoches. Also, her health became impaired as, almost single-handedly, she carried on the duties of the household.

Having found the plantation, some distance from Huntsville, "too remote from civilization" while her husband was away in Washington, the family moved into Huntsville in 1848

where they remained until 1853. It was then that the move was made to Independence in the hope that a change of climate would be good for her, since she suffered from asthma. Also, it enabled her to be able to keep a closer watch on her aged mother, as well as afforded an opportunity to enjoy the company of her sister and other relatives during the long months of the General's absence on official business.

At Independence she bore her second son—named for the General's great and good friend and patron—Andrew Jackson, in 1854. He was later to succeed to a seat in the United States Senate in 1941, like his father before him.

Periods of loneliness and anxiety during her husband's frequent and prolonged absences did nothing to improve her health. A breast tumor removed by Dr. Ashbel Smith in 1847, though the operation proved completely successfully caused her recurring concern as to the possibility of cancer. She also suffered frequent attacks of malaria and a worsening asthmatic condition.

Coupled with these physical debilitations, were the dark clouds of civil war, casting their ominous shadows across the land. With its two issues—one moral—slavery, and the other political—states rights—paramount, it could only tend to aggravate Mrs. Houston's situation.

Senator Houston sought and fought to stem the rising tide of secession and for the preservation of the Union. Failing to halt "the dark forebodings of secession," Houston, then Governor, was compelled to vacate the executive mansion. Thus, the deposed Governor, with his family, began the last of his many pilgrimages ending at Huntsville, to which they had returned to live in 1858. There they remained until shortly after the General's death at eventide of July 26, 1863, with the name of his beloved Margaret and the State to which he had given so much, on his dying lips.

Mrs. Houston moved her family back to Independence to a comfortable house only a block away from her mother's home and the Baptist Church. There she managed to live comfortably despite the wartime inflation that threatened to wipe out the modest fortune left at the General's death. With good crops and plentiful labor and with her business ability and management she was able

to provide her children with good educational opportunities and occasional luxuries.

Beautiful entertainments and gracious receptions were provided at the times of the weddings of her daughters, Nannie and Margaret.

That she longed to return to Independence in her widowhood and with the sole responsibility of her family is truly understandable. As we view the same scenes and are privileged to behold the results of the lavish hand with which nature has dowered the countryside, we can lift up our eyes unto the same hills from whence came her strength and be inspired by the heritage she bequeathed us.

Mrs. Houston expressed her love for the countryside in words I shall quote from the poem she wrote entitled "Farewell to Independence," evidently written when the family removed to Huntsville in 1858, as follows:

"Sweet village!
Thou loveliest spot of earth to me;
Oh, I shall think of thee and weep,
As oft as day's decline, I see
The lengthening shadows as they
creep
From out thy clustering oaks and
glide
So soft, so spirit-like along
The quiet prairie and gentle hill-
side,
And hear the wild bird's low sweet
song
From every grove.
"And thou, gentle stream,
Sweet 'Rocky'! of what hallowed
joys
Shall mingle with my dreams of
thee!"

"'Tis past! 'Tis past!
These hallowed scenes are far re-
moved,
And I have mingled once again,
With friends of other days long
loved,
But never shall the precious chain
That binds my heart to thee, sweet
spot,
One gem of recollection lose!
Where e're on earth be cast my lot,
Bright as thy glorious sunset hues,
Shall be my dreams of thee."

Nannie and her husband, Mr. J. C. S. Morrow, moved to Georgetown and while packing for a trip there to spend the Christmas Holidays and to see her six-weeks old grandson, Mrs. Houston was stricken with yellow fever in early December, 1867.

Her death occurred suddenly during an epidemic of the deadly disease which completely terrified the remaining residents of the area. It is a Houston family story that Mrs. Houston was buried at night, as quickly as the grave and a coffin could be prepared. Only two servants and her two unmarried daughters were said to have been present at the final rites and no minister was available to read a service.

The danger of contagion made it impossible to carry her body to Huntsville for burial beside her husband. She lies here with her mother, Mrs. Nancy Lea, near the sites of their last homes and the old church they loved so well. Each of these remarkable ladies in her own way greatly and profoundly influenced the career of General Houston and shaped the course of Texas history and Texas destiny.

While long since committed to the "tongueless silence of the dreamless dust," nevertheless, it remains for us today—this assembly of family and friends to hold the first public service at the grave of this remarkable, devout and talented woman. And even with the near passing of a century we may say of her that

"The dead are like the stars by day,
Withdrawn from mortal eye
But not extinct, they hold their
sway
In glory throughout the sky."

Senate Bill 567 on First Reading

Senator Reagan moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word

Absent—Excused

Kennard Watson
Schwartz

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Reagan:

S. B. No. 567, A bill to be entitled "An Act amending Section 2 of Chapter 82, Acts of the 50th Legislature, Regular Session, 1947, as amended by Section 1 of Chapter 174, Acts of the 58th Legislature, Regular Session, 1963 (codified as Article 5344c of Vernon's Texas Civil Statutes), so as to provide for amendment to extend the term of existing oil, gas, and mineral leases covering certain State lands; and declaring an emergency."

To the Committee on Oil and Gas.

Senate Bill 568 on First Reading

Senator Reagan moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word

Absent—Excused

Kennard Watson
Schwartz

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Reagan:

S. B. No. 568, A bill to be entitled "An Act repealing Chapter 82, Acts of the Fortieth Legislature, Regular Session, 1927, as amended by Chapter 26, Acts of the Forty Fourth Leg-

islature, Regular Session, 1935, and codified as Articles 2815a, 2815b, 2815c, 2815d, 2815e, 2815f, and 2815g, Vernon's Texas Civil Statutes; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Concurrent Resolution 104

Senator Patman offered the following resolution:

S. C. R. No. 104, Authorizing the Board of Regents of The University of Texas to accept from Federal Government the Rockport Air Force Station facility.

Whereas, The Federal Government has given notice that the Rockport Air Force Station located approximately five miles north of Rockport, Aransas County, Texas, is surplus government property; and

Whereas, The said facility is located on a 59.17 acre tract of land leased by the Government from Aransas County, Texas, until June 30, 1981, and is divided into five areas or parcels with appropriate buildings, dormitories, water wells, electric lines, and other improvements; and

Whereas, This facility is suitable to the needs of The University of Texas in its research, teaching, and educational programs; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, that the Board of Regents of The University of Texas be and it is hereby authorized to accept from the Federal Government the Rockport Air Force Station facility located near Rockport, Aransas County, Texas, as a part of The University of Texas research, teaching, and educational programs; and, be it further

Resolved, That the Board of Regents of The University of Texas is hereby authorized to perform any and all acts necessary to effect an orderly transfer of said property.

The resolution was read.

On motion of Senator Patman and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 105

Senator Herring offered the following resolution:

S. C. R. No. 105, Authorizing Industrial Gas Supply Corporation permission to sue the State.

Whereas, As of June 1, 1951, Industrial Gas Supply Corporation and Ship Channel Industrial Gas Corporation, each Delaware corporations duly permitted to transact business in the State of Texas, were the owners of all of the capital stock of City Industrial Gas Company in the proportions of Industrial Gas Supply Corporation: 55%, and Ship Channel Industrial Gas Corporation: 45%, and, effective as of such date, the said City Industrial Gas Company was dissolved by its said corporate stockholders and the businesses then being conducted by the said dissolved corporation was continued by the said Industrial Gas Supply Corporation and the said Ship Channel Industrial Gas Corporation in their said names under the direction and operation of the said Industrial Gas Supply Corporation; and

Whereas, As of August 1, 1954, Industrial Gas Supply Corporation acquired all properties and other assets of Ship Channel Industrial Gas Corporation, including the latter's 45% interest in the business formerly operated in the name of City Industrial Gas Company, and the said Industrial Gas Supply Corporation continued to conduct the said business in the name of Industrial Gas Supply Corporation and as the sole owner of said business; and,

Whereas, During the year 1942 and subsequently the said City Industrial Gas Company was engaged in the business of selling gas for industrial use in industries located within the corporate limits of Houston, Texas, and also in selling gas to said City for distribution and sale by the City of Houston through the City's Magnolia Park Gas Distribution System; and the same business was subsequently continued in the name of Industrial Gas Supply Corporation and Ship Channel Industrial Gas Corporation, and later in the name of Industrial Gas Supply Corporation, as aforesaid; and,

Whereas, The said Industrial Gas Supply Corporation and its predecessor, City Industrial Gas Company, have paid to the Comptroller of Public Accounts of the State of Texas gross receipts taxes on their industrial gas sales to industrial consumers and users under Article 11.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended (for-

merly codified as Article 7060 of said Statutes) under duress and fear of serious legal and economic penalties and sanctions for underpayment, or nonpayment, of said taxes allegedly due the State of Texas, and by reasons thereof said gross receipts taxes were paid by Industrial Gas Supply Corporation, and its predecessors, City Industrial Gas Company, and Ship Channel Industrial Gas Company, to the State of Texas, on gross receipts from the sale of gas to industrial users and consumers and to the City of Houston for the City's Magnolia Park Gas Distribution System received by the said Industrial Gas Supply Corporation and its predecessor, City Industrial Gas Company, from the quarter ending March 31, 1942, through the quarter ending December 31, 1964; and,

Whereas, The Comptroller of Public Accounts in an opinion letter dated March 25, 1965, ruled that Industrial Gas Supply Corporation was not required to include receipts from the sale of gas to its industrial customers, users and consumers in calculating gross receipts taxable under said Article 11.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and

Whereas, The Comptroller of Public Accounts also has advised Industrial Gas Supply Corporation that such industrial gas sales are exempt from the gross receipts taxable under Article 11.03 above; and,

Whereas, There is no provision of law whereby these taxes wrongfully paid can be returned or recovered except through a direct appropriation by the Legislature; and,

Whereas, There is no provision of law of the State of Texas to accurately and definitely determine what amount of taxes, if any, should be returned for the purpose of making such an appropriation; and

Whereas, In order to definitely and accurately determine such matters, it is the policy of this Legislature to let a court of competent jurisdiction pass upon the same; and

Whereas, It is the policy of the Legislature of the State of Texas to give and grant to persons and corporations the right to litigate any valid claim against the State of Texas in a court of competent jurisdiction; now, therefore, be it

Resolved by the House of Representatives of Texas with the Senate concurring, that Industrial Gas Sup-

ply Corporation be and is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to recover judgment against the State of Texas for all amounts of money heretofore illegally extracted and/or taxes heretofore wrongfully or mistakenly paid to the State of Texas by Industrial Gas Supply Corporation and its predecessor, City Industrial Gas Company, from the quarter ending March 31, 1942, through the quarter ending on December 31, 1964, under Article 11.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, on gross receipts received by Industrial Gas Supply Corporation and its predecessor, City Industrial Gas Company and Ship Channel Industrial Gas Corporation, from the sale of gas to industrial users and consumers and to the City of Houston for the City's Magnolia Park Gas Distribution System, and from the payment of such tax or taxes Industrial Gas Supply Corporation and its predecessors, City Industrial Gas Company and Ship Channel Industrial Gas Corporation which are exempt, and service of citation for the purposes herein granted may be made upon the State of Texas by serving the Attorney General, the State Treasurer, and the Comptroller of Public Accounts; and for such other and further relief as may be just and proper; and be it further

Resolved, That such suit may be filed within Two (2) years from the effective date of this Resolution; and be it further

Resolved, That the sole purpose of this Resolution is to grant permission to the aforesaid party to maintain suit against the State and any instrumentality thereof and no admission of liability is intended to be evidenced by this Resolution and the parties described above shall be required to prove all essential facts as in other similar cases and either party may appeal from any judgment entered in the event such suit is instituted in accordance with the Rules and Laws of Civil Procedure for such litigation; and be it further

Resolved, That nothing herein shall be construed as an admission of the validity of any allegations or claims asserted by said party nor as a waiver of any defenses, of fact or of law, on the part of the State of Texas or any of the Departments or Agencies of the

State of Texas or any of the political subdivisions of the State of Texas in said suit, but said suit must be proved as in other suits under the same rules of evidence and all such defenses are hereby specifically reserved.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Resolution 693

Senator Harrington offered the following resolution:

Whereas, The Relay Team of Port Neches Groves High School has brought national recognition to the State of Texas; and

Whereas, The 440 Yard Relay Team won the State Championship and established a national record with time of 41.2 seconds; and

Whereas, Members of this historic team are Randy Byrd, Kenneth Bernard, Lyman Landry and Mike Simpson. Track Coach is Moe O'Brien; and

Whereas, the 220 yard dash was won by Mike Simpson representing Port Neches Groves High School; now, therefore, be it

Resolved, That the Senate of the 59th Texas Legislature commends these courageous young men and their esteemed coach and wishes them continued success throughout their lives.

The resolution was read and was adopted.

Senate Bill 569 on First Reading

Senator Crump moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Harrington
Bates	Hazlewood
Blanchard	Herring
Calhoun	Hightower
Cole	Kazen
Colson	Krueger
Creighton	Moore
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan

Richter	Spears
Rogers	Strong
Snelson	Word

Absent—Excused

Kennard	Watson
Schwartz	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Crump:

S. B. No. 569, A bill to be entitled "An Act relating to the construction and maintenance of private roads in certain counties; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 570 on First Reading

The following local bill was introduced, read first time and referred to the Committee Indicated:

By Senator Colson:

S. B. No. 570, A bill to be entitled "An Act relating to the election of trustees of independent school districts in certain counties; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 571 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Colson:

S. B. No. 571, A bill to be entitled "An Act relating to the election of trustees of independent school districts in certain counties; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Resolution 694

Senator Hall offered the following resolution:

Whereas, Jimmy Webb of McKinney, Texas served with distinction as a Page in the Senate; and

Whereas, Everyone learned to know him, depend on him, call on him for assistance, and love him; and

Whereas, It is generally recognized that he will one day be a great and courageous State Senator; and

Whereas, We enjoyed his presence

and eagerly look forward to his visiting with us in the future; now, therefore, be it

Resolved, That the Senate of Texas recognize his dedicated services, his genuine warmth and friendship, his tremendous personal contribution and self sacrifice to this Session of the Senate, and recognize him as a great, future statesman and leader of the State of Texas; and be it further

Resolved, That the Texas Senate will welcome his visit with us at any and every opportunity; and be it further

Resolved, That a copy of this Resolution be mailed to Jimmy Webb and his wonderful parents, Mr. and Mrs. James R. Webb—the Honorable County Clerk of Collin County, Texas.

The resolution was read and was adopted.

Committee Appointed Pursuant to Senate Resolution 504

The President announced the appointment of the following as a committee pursuant to the provisions of S. R. No. 504:

Senators Hardeman, Krueger, Moore, Crump and Aikin.

Senate Bill 145 With House Amendment

Senator Parkhouse called S. B. No. 145 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following amendment before the Senate:

Committee Amendment 1

Amend Senate Bill No. 145 as follows:

(1) In the last sentence of the first paragraph of Section 3, quoted in Section 1 of the bill, add a period after the word "basis," strike the phrase "and each member shall be from a different section of the state." and add the following: "The Governor shall appoint one member from each of the water divisions, as provided for in Articles 7475 and 7477, Revised Civil Statutes of Texas, 1925, as amended."

(2) Strike Section 5 of the bill and substitute the following: "Sec. 5. Repealing. All laws or parts of laws in

conflict herewith are repealed to the extent of such conflict only."

The House amendment was read.

Senator Parkhouse moved that the Senate do not concur in the House amendment, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Parkhouse, Strong, Ratliff, Dies, Rogers.

Senate Bill 146 With House Amendments

Senator Parkhouse called S. B. No. 146 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment 1

Amend Senate Bill No. 146 as follows:

(1) In the third sentence of Subsection (a), Section 3, quoted in Section 2 of the bill, change the phrase "one (1) from each of the fields of" to "one (1) each from the fields of."

(2) Strike the second sentence of Subsection (b), Section 3, quoted in Section 2 of the bill.

(3) After the third sentence in Subsection (b), Section 3, quoted in Section 2 of the bill, add the following sentence: "Consideration shall also be given in the plan to the effect of upstream development upon the bays, estuaries, and arms of the Gulf of Mexico."

(4) At the beginning of the seventh sentence in Subsection (b), Section 3, quoted in Section 2 of the bill (page 4, line 25 of the engrossed bill), lowercase the "U" in "upon" and add, before the word "upon" the following: "After such public hearing and"

Amendment to Committee Amendment 1

Amend House Committee Amendment No. 1 to Senate Bill 146 by deleting the period at the end of paragraph (3) and adding the following

words: "and to the effect upon navigation."

Amendment to Committee Amendment 1

Amend House Committee Amendment No. 1 to Senate Bill 146 by striking paragraph (2) of the amendment, and inserting the following:

"However, the Board shall not prepare nor formulate any plan which contemplates or results in the removal from the basin of origin any surface waters to some other river basin or area outside of such basin of origin if the water supply involved in such plan or project will be required to supply the reasonably foreseeable future water supply requirements for the next ensuing fifty-year period within the river basin of origin. And provided further that waters surplus to the actual present needs of the basin of origin may be exported from such basin only until such time as a need for those waters develops within the basin of origin."

Committee Amendment 2

Amend Senate Bill No. 146 by adding a new paragraph to the end of Subsection (b), Section 3, quoted in Section 2 of the bill, to read as follows:

"The Board may take all necessary action to qualify for federal assistance in financing the development and improvement of the Plan."

Committee Amendment 3

In Subdivision (a) of the fourth paragraph of Section 21, quoted in Section 8 of Senate Bill No. 146, strike "and" before "7537(b)" and add, after "7537(b)," the following: "7621(b), 7621(c), and 7621(d),".

The amendments were read.

Senator Parkhouse moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Parkhouse, Strong, Aikin, Ratliff and Krueger.

Senate Bill 512 With House Amendments

Senator Herring called S. B. No. 512 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment 1

Amend Senate Bill 512 by striking out all of Section 1 of the bill and substituting in lieu thereof the following:

"Section 1. Section 20, Chapter 404, Acts of the 45th Legislature, Regular Session, 1937, as last amended by Section 7, Senate Bill Number 74, Acts of the 59th Legislature, 1965 (Section 20, Article 3271a, Vernon's Texas Civil Statutes), is amended by adding a new subdivision to read as follows:

'(1) This Act shall not be construed as applying to operating telephone companies or their employees in respect to any plans, designs, specifications, or services which relate strictly to the science and art of telephony. This exemption includes the use of job titles and personnel classifications by such persons not in connection with any offer of engineering services to the public, providing that no name, title, or words are used which tend to convey the impression that an unlicensed person is offering engineering services to the public.'"

Committee Amendment 2

Amend the committee substitute for S. B. 512 by inserting after the words "telephone companies" in subsection (1) thereof the following: "and/or affiliates."

The amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 459 With House Amendment

Senator Cole called S. B. No. 459 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the

following House amendment before the Senate:

Committee Amendment 1

Amend by striking all below the enacting clause and substituting in lieu thereof the following:

Subchapter A. The Juvenile Board.

Section 1. Establishment. The Juvenile Board of Harris County is established.

Section 2. Composition. The juvenile board consists of the county judge, the judge of the juvenile court, and the judges of the courts of domestic relations of Harris County, and a district judge appointed by majority vote of the district judges of Harris County.

Section 3. Officers. The county judge is chairman of the board.

Section 4. Meetings. (a) The board shall hold meetings once a month. It may hold other meetings at the call of the chairman or at the written request to the chairman of at least two members of the board.

(b) The board shall keep accurate and complete minutes of its meetings. The minutes are open to inspection by the public.

Section 5. Duties. (a) The Chief Probation Officer under the direction of the juvenile board shall prepare the annual budget of the probation department and of the county institutions for the care of neglected, dependent, and delinquent children. The juvenile board then shall submit the budget it approves to the commissioners court for final approval in the same manner as prescribed by law for the other agencies and departments of Harris County.

(b) The juvenile board shall make an annual written report to the commissioners court concerning the operations and efficiency of the probation department and of the county institutions for the care of neglected, dependent, and delinquent children; and concerning the general adequacy of juvenile services provided by the county. The board may include within its report any recommendations for improvements which it finds are needed.

(c) At the request of the judge of the juvenile court, the juvenile board shall investigate the operations of the probation department and the county institutions for the care of neglected,

dependent, and delinquent children. The juvenile board shall make a written report of the results of its investigations to the commissioners court. The juvenile board may make any special studies or investigations that it finds necessary to improve the operations of the probation department and the institutions under its control.

(d) The juvenile board subject to the approval of the Commissioner's Court shall establish a general personnel policy for the employees of the probation department and the county institutions for the care of neglected, dependent, and delinquent children. The board shall establish and maintain an employee classification system including:

(1) an accurate statement of duties of each employee position;

(2) stated qualifications of each employee position;

(3) a compensation plan which will insure equal pay for equal work.

(e) The board neither has, nor may it exercise, judicial power or function.

(f) The juvenile board shall direct whether the district clerk or the chief juvenile probation officer shall receive payments for the support of wives and children made under the order of the district and criminal district courts, or the courts of domestic relations, of Harris County.

Subchapter B. Chief Juvenile

Probation Officer

Section 6. Establishment of Office. The office of Chief Juvenile Probation Officer of Harris County is established.

Section 7. Appointment. The judge of the juvenile court shall appoint the chief juvenile probation officer. The appointment is subject to the approval of the juvenile board. The judge may remove the chief juvenile probation officer at any time subject to the approval of the Juvenile Board.

Section 8. Salary. The commissioners court shall pay the chief juvenile probation officer an annual salary of not less than \$12,000.

Section 9. Duties. (a) The chief juvenile probation officer is the chief administrative officer of the probation department, and the director of the county institutions for the care of neglected, dependent, and delinquent children.

(b) If the chief juvenile probation officer determines that the juvenile court should acquire formal jurisdiction

of a case, he shall prepare and file in the juvenile court a petition as described in Section 7, Chapter 204, Acts of the 48th Legislature, 1943 (Article 2338-1, Vernon's Texas Civil Statutes).

Section 10. Support Payments. (a) If the juvenile board directs the chief juvenile probation officer to receive payments for the support of wives and children made under the order of the district and criminal district courts or the courts of domestic relations, of Harris County, he shall receive the payments and shall disburse the funds in the manner the courts determine to be for the best interests of the parties involved in each case.

(b) If the juvenile board directs the district clerk to receive support payments, the clerk shall receive the payments and shall disburse the funds in the manner the courts determine to be for the best interests of the parties involved in each case.

(c) In all cases in which the juvenile board directs the chief juvenile probation officer to receive support payments, he shall enter into a surety bond with some solvent surety company authorized to execute bonds of this type in Texas. The bond shall be conditioned upon the chief juvenile probation officer's faithful performance of the duties of his position and upon his properly accounting for any moneys entrusted to him. The commissioners court shall fix the amount of the bond and shall approve its terms. The commissioners court shall pay the premium for the bond out of the general funds of the county.

(d) The chief juvenile probation officer shall keep an accurate and complete record of all his receipts and disbursements of support payment funds. The record is open to inspection by the public. The County Auditor shall inspect the record and shall audit the accounts quarterly, making a report of his findings and recommendations to the juvenile board.

Subchapter C. The Probation Department

Section 11. Establishment. The probation Department of Harris County is established.

Section 12. Appointment. The chief juvenile probation officer shall hire the employees of the probation department. He may remove an employee at any time. Appointments and removals of supervisors are subject to the approval of the juvenile board.

Section 13. Salaries. The commissioners court of Harris County shall pay the salaries and expenses of the employees of the probation department as determined by the annual budget prepared by the juvenile board and approved by the commissioners court.

Section 14. Duties. (a) The juvenile probation officers of Harris County shall.

(1) investigate all cases referred to them by the juvenile court or the juvenile board;

(2) be present in the juvenile court and represent the interests of the juvenile when the case is heard;

(3) furnish to the court and juvenile board any information or assistance required;

(4) take charge of any child before and after the trial;

(5) perform other services for the child as may be required by the court.

(b) Relative to their offices, the juvenile probation officers of Harris County have the powers and authority of police officers and sheriffs.

(c) The juvenile probation officers of Harris County have all other powers granted to juvenile probation officers by general law.

Subchapter D. County Juvenile Institutions

Section 15. Appointment. The chief juvenile probation officer shall hire the employees of the county institutions for the care of neglected, dependent, and delinquent children. He may remove an employee at any time. The appointment and removal of superintendents of the county institutions are subject to the approval of the juvenile board.

Section 16. Salaries. The commissioners court of Harris County shall pay the salaries and expenses of the employees of the county institutions for the care of neglected, dependent, and delinquent children as determined by the annual budget prepared by the juvenile board and approved by the commissioners court.

Section 17. Gifts. Subject to the approval of the commissioners court, the juvenile board may accept and hold in trust for the county juvenile institutions any grant or devise of land, any gift or bequest of money or other personal property, and any donation, which is to be applied for the benefit of the institutions.

Section 18. Severability Clause. If any provision of the Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 19. Emergency Clause. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Cole moved that the Senate concur in the House amendment.

The motion prevailed.

Report of Standing Committee

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 105, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senate Concurrent Resolution 105 Ordered Not Printed

On motion of Senator Herring and by unanimous consent S. C. R. No. 105 was ordered not printed.

Senate Bill 460 With House Amendments

Senator Cole called S. B. No. 460 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment 1

Amend S. B. No. 460 by striking all below the enacting clause and substitute in lieu thereof the following:

Section 1. Creation of Court. The Juvenile Court of Harris County is established. The court shall sit at the county seat of Harris County.

Sec. 2. Records and Seal. (a) The court is a court of record. The court shall maintain all necessary dockets, records, and minutes of its proceedings.

(b) The seal of the court has a star of five points in the center of the words "The Juvenile Court of Harris County" engraved around the star.

Sec. 3. Creation of Office of Judge. The office of judge of the court is established.

Sec. 4. Qualifications, Election, Term of Office, Disqualification, and Removal of Judge. The laws and constitutional provisions relating to qualifications, election, term of office, disqualification, and removal of district judges apply to the judge. If the office of judge becomes vacant before the end of a term, the governor, with the advise and consent of the Senate, shall appoint a judge to fill the unexpired term.

Sec. 5. Salary of Judge. The commissioners court of Harris County shall pay the judge an annual salary equal to the total annual salary paid by Harris County and the state to a judge of a district court of Harris County.

Sec. 6. Initial Term of Office. The governor, with the advise and consent of the Senate, shall appoint the first judge of the juvenile court. The appointee takes office on January 1, 1966. The appointee serves until the next general election and until a successor is duly elected and qualified.

Sec. 7. Jurisdiction of the Court. (a) The court has concurrent jurisdiction with the district and domestic relations courts of Harris County of all cases involving delinquent, neglected, or dependent children and adoptions.

(b) All cases within the jurisdiction of the court may be instituted in or transferred to the court.

Sec. 8. Transfer of Cases With District Courts, the County Court and County Courts at Law. (a) The district courts, the county court, and the county courts at law of Harris County may transfer to the court any case,

complaint, or other matter of which the court has jurisdiction.

(b) The court may transfer any case, complaint, or other matter to a district court, the county court, or a county court at law having jurisdiction if the judge of the court receiving the matter consents to the transfer.

Sec. 9. Transfer of Cases With Domestic Relations Courts. (a) The courts of domestic relations of Harris County may transfer to the court any case, complaint, or other matter of which the court has jurisdiction.

(b) The court may transfer any case, complaint, or other matter to a court of domestic relations of Harris County if the judge of the Court receiving the matter consents to the transfer.

Sec. 10. Exchange With Domestic Relations Courts. A judge of a court of domestic relations of Harris County may preside as judge of the court. In this event, the judge of the court of domestic relations may sit in his own courtroom, the courtroom of the Juvenile Court, or the courtroom of any court of domestic relations of Harris County.

Sec. 11. Absence of Judge. (a) If the judge is disqualified in any case or proceeding, the judge may transfer the case or proceeding to a court of domestic relations of Harris County.

(b) If the judge is absent from court for any reason other than disqualification, the juvenile board of Harris County shall select a judge of a court of domestic relations of Harris County to preside over the court during the absence.

Sec. 12. Terms of the Court. The terms of the court begin on September 1st of each year and continue until August 31st of the next year. The first term of the court begins January 1, 1966, and continues until August 31, 1966.

Sec. 13. Clerk, Court Reporter and Bailiff. (a) The district clerk shall act as clerk of the juvenile court. The clerk shall keep a fair record of all proceedings in the court. The commissioners court of Harris County shall pay the clerk an annual salary equal to the annual salary paid to a clerk of a district court of Harris County.

(b) The judge shall appoint a court reporter to serve the court. The commissioners court of Harris County shall pay the court reporter an annual salary equal to the annual salary of a

court reporter of a district court of Harris County.

(c) Upon request of the judge, the sheriff of Harris County shall appoint a bailiff to serve the court.

Sec. 14. Sheriff. (a) The sheriff of Harris County shall perform all the duties and services for the court as he normally performs for the district courts of Harris County.

(b) When executing process out of the court, the sheriffs and constables of the counties of Texas are entitled to fees by general law for executing process out of district courts.

Sec. 15. Probation Department, County Welfare Department, and County Health Officer. The Probation Department, the County Welfare Office, and the County Health Officer of Harris County shall perform services required by the court which are within the scope of their respective duties.

Sec. 16. District Attorney. The District Attorney of Harris County shall prosecute or defend all cases involving children alleged to be dependent, neglected or delinquent, or in which the Probation Officer, County Welfare Department, County Health Officer, or any other welfare agency is interested.

Sec. 17. Writs and Orders: Contempt. (a) The judge may issue writs of habeas corpus and mandamus, injunctions, temporary injunctions, restraining orders, orders of sale, execution, or writs of possession and restitution, and any other writs which the district courts may issue.

(b) The judge may punish for contempt.

Sec. 18. Practice and procedure. (a) When not in conflict with this Act, the provisions of Chapter 204, Acts of the 48th Legislature, 1943, (Article 2338-1, Vernon's Texas Civil Statutes), as amended, and Articles 2330-2337, Revised Civil Statutes of Texas, 1925, as amended, govern the practice and procedure of the court.

(b) When the provisions of this Act and the laws cited in Sub-section (a) do not apply, the laws and rules pertaining to district courts govern the practice and procedure of the court.

Sec. 19. Chapter 186, Acts of the 55th Legislature, Regular Session, 1957 (Article 2338-2a, Vernon's Texas Civil Statutes), is repealed.

Sec. 20. The importance of this legislation and the crowded condition of

the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

The amendment was read.

Senator Cole moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Concurrent Resolution 105 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

S. C. R. No. 105, Granting Industrial Gas Supply Corporation permission to sue the State of Texas.

The resolution was read and was adopted.

Senate Bill 149 on Second Reading

On motion of Senator Richter and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 149, A bill to be entitled "An Act to provide financial support from State funds on a limited basis for the development of instructional television services toward the enhancement of classroom instruction in the public elementary and secondary school system of Texas; providing and prescribing for the reimbursement of a portion of the cost thereof by and pursuant to regulations of the Central Education Agency from the Foundation School Fund; making the Act effective for the school year beginning 1965-1966 and thereafter; and declaring an emergency."

The bill was read second time.

Senator Richter offered the following amendment to the bill:

Amend Senate Bill 149 by striking out all of Section 1 and substituting in lieu thereof the following:

"Section 1. Any school district of this State classified common, inde-

pendent school district or rural high school district whose governing board elects to utilize and contract for available educational television programs and services, including transmission services with educational television stations and interconnecting communications common carriers, to enrich its classroom instruction shall, upon application and pursuant to regulations prescribed by the Central Education Agency, be reimbursed for such costs from State funds to the extent herein authorized."

The amendment was read and was adopted.

On motion of Senator Richter and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 149 on Third Reading

Senator Richter moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 149 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	

Nays—1

Word

Absent—Excused

Kennard	Watson
Schwartz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message from the House

Hall of the House of Representatives
Austin, Texas
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1131, A bill to be entitled "An Act validating orders passed by certain water control and improvement Districts excluding land from the District and annexing land to the District; and declaring an emergency."

H. B. No. 1141, A bill to be entitled "An Act relating to removal of rough fish, bream, and sunfish from the public fresh waters of Wood County; and declaring an emergency."

H. B. No. 1147, A bill to be entitled "An Act relinquishing the State's interest in certain Starr County land; directing the Commissioner of the General Land Office to issue a patent thereon; and declaring an emergency."

H. B. No. 1148, A bill to be entitled "An Act relating to the care, treatment and custody of mentally ill and mentally retarded persons infected with tuberculosis; and declaring an emergency."

H. C. R. No. 51, Granting permission to Clyde Hendrix of Clyde, Texas to sue the State of Texas and the State Highway Department.

H. C. R. No. 135, Commending M. M. Stripling, Mayor of Nacogdoches, Texas.

H. C. R. No. 136, Directing the Enrolling Clerk of the House to make certain corrections in H. B. No. 12.

H. B. No. 1071, A bill to be entitled "An Act amending the Workmen's Compensation Laws of the State of Texas pertaining to death benefits; amending Section 9, Article 8306, Revised Civil Statutes, as amended; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 1074, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature,

1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Anderson County to the list of counties regulated; and declaring an emergency."

H. B. No. 1079, A bill to be entitled "An Act empowering cities and towns to build, purchase, improve, enlarge and repair, to mortgage and encumber their swimming pools and the gross income and revenues thereof, either or both, to evidence the obligation thereof by the issuance of its revenue bonds; making the provisions of Chapter 10 of Title 28, Revised Civil Statutes of Texas, 1925, as amended, applicable to such bonds, except as modified by this Act; providing for the approval of such bonds by the Attorney General of Texas and their registration by the Comptroller of Public Accounts and prescribing the effect thereof; providing the bonds shall be lawful investments for certain purposes and may secure certain funds; and declaring an emergency."

H. B. No. 1081, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of the State of Texas, to be known as 'Gulf Freeway Municipal Utility District of Galveston County, Texas'; prescribing its rights, powers, privileges, and duties; providing the district shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions relating to addition of land; providing that its bonds are legal and authorized investments; containing other provisions relating to the subject; and declaring an emergency."

H. B. No. 1082, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of the State of Texas, to be known as 'San Leon Municipal Utility District of Galveston County, Texas'; prescribing its rights, powers, privileges, and duties; providing the district shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions relating to addition and exclusion of land; providing that its bonds are legal and authorized

investments; containing other provisions relating to the subject; and declaring an emergency."

H. B. No. 1087, A bill to be entitled "An Act relating to salary of certain county and district officials in certain counties; amending Chapter 427, Acts of the 54th Legislature, 1955; and declaring an emergency."

H. B. No. 1111, A bill to be entitled "An Act relating to the creation of Nixon Hospital District of Gonzales, Karnes, and Wilson Counties, Texas, by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

H. B. No. 1115, A bill to be entitled "An Act relating to the hunting of deer on a certain enclosed tract of land located in Sabine and San Augustine Counties; and declaring an emergency."

H. B. No. 1098, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as 'Pineview Water Supply District of Jasper County'; declaring said District to be a governmental agency and body politic and corporate; defining the boundaries of said District and finding that said boundaries form a closure; finding that said District is created to serve a public use and benefit; providing that said District shall have all of the rights, powers, privileges, authority and duties conferred by the General Laws applicable to water control and improvement districts created under Article XVI, Section 59 of the Constitution of Texas except where such General Laws are in conflict with this Act; providing for no confirmation election; providing for no hearing for exclusion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for the governing body of said District; providing for the qualifications, election and terms of directors and appointing members of original Board of Directors; providing for the election and appointment of officers and employees of such District and other related powers of the Board of Directors; providing for the validity of bonds issued by said District; providing for the approval and inspection of construction projects by the Texas Water Commission; limiting the pow-

ers of eminent domain of said District providing that Article 7880-77b shall not be applicable to said District; providing that said District is free from taxation within this State; excluding lands of said District from Upper Jasper County Water Authority and repealing Article 8280-184, Vernon's Annotated Civil Statutes of Texas, where in conflict with this Act; determining and finding that the requirements of Article XVI, Section 59(d) have been fulfilled and accomplished; providing for severability; and declaring an emergency."

H. B. No. 1104, A bill to be entitled "An Act amending Sections 1, 2, and 3 of Chapter 195, Acts of the 53rd Legislature of Texas, Regular Session, 1953, as amended by Chapter 291, Acts of the 55th Legislature of Texas, Regular Session, 1957, relating to The Calhoun County Navigation District; amending said Act to provide a method of election of Navigation Commissioners; amending said Act to more clearly define the powers of the Navigation Commissioners; amending said Act to provide that the Navigation Commissioners shall constitute a Pilot Board and shall have exclusive jurisdiction over pilotage of vessels moving between the Gulf of Mexico and any port within said navigation district through the channels which have been dredged through Matagorda Peninsula and is protected by jetties and is known as Matagorda Ship Channel pursuant to certain sections of Acts 1923, p. 44, and repealing any Act which is contrary to the provisions hereof; providing for severability; and declaring an emergency."

H. B. No. 1112, A bill to be entitled "An Act amending Section 4 of Acts 1961, 57th Legislature, Regular Session, Chapter 151, which among other matters enlarged Houston County Water Control and Improvement District No. 1 to be coterminus with Houston County, Texas, to empower the Board of Directors of such district to authorize and issue bonds of said district payable from revenues only without submitting the question of the issuance of same to a vote provided that the bonds are payable at least in part from revenues derived from a contract or contracts with cities and the question of the making of the contract or contracts has been favorable voted by the qualified taxpaying electors in each of

the cities contracting with the district; and declaring an emergency."

H. B. No. 1114, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution, comprising the territory lying within the watershed of the Sabine River and its tributary streams lying within the boundaries of Newton County as the same is made certain by the State contour maps now on file in the office of the Texas Water Commission, to be known as the 'Newton County Navigation District,' for the purpose of promoting, constructing, maintaining and operating, or to make practicable, promote, aid and encourage the construction, maintenance, and operation of navigable canals and waterways and all navigational systems or facilities auxiliary thereto, using the natural bed and banks of the Sabine River in so doing where practicable; authorizing said District to acquire, purchase, improve, extend, take over, construct, maintain, repair, operate, develop and regulate ports, levees, wharves, docks, locks, warehouses, grain elevators, dumping facilities, belt railways, land and all other facilities or aids to navigation or aids consistent with or necessary to the operation or development of ports or waterways within said District; authorizing the acquisition of other properties and equipment; providing that nothing in this Act shall in any manner alter the rights, duties, privileges, powers and immunities of the Sabine River Authority of Texas; authorizing the Sabine River Authority of Texas to coordinate its plans with the District created by this Act and to enter into joint undertakings for such purpose upon certain terms and conditions; authorizing the Newton County Navigation District to coordinate its plans with the Orange County Navigation and Port District and to enter into joint undertakings for such purpose upon certain terms and conditions; requiring the District created by this Act to obtain such permits as are required by general law from the Texas Water Commission or its successor; requiring that the District created by this Act shall fully comply with the Sabine River Compact; requiring the submission to and the approval by the Texas Water Commission, or its successor, of all plans and specifications for construction prior to the issuance of revenue bonds to obtain funds for the payment

of such construction; conferring the power of eminent domain; providing for a Board of Directors for the government of said District; authorizing said District to borrow funds for its corporate purpose; authorizing the issuance of revenue bonds and providing for the payment and security thereof; prescribing other powers and duties of the District; enacting other provisions relating to the District; providing a severability clause; and declaring an emergency."

H. B. No. 1123, A bill to be entitled "An Act to fix the rate of tax to be levied for local maintenance school purposes in all common school districts having an average daily attendance in excess of One Thousand Seven Hundred (1,700) for the preceding school year; to levy and collect maintenance taxes not to exceed Two Dollars Twenty-five Cents (\$2.25) per One Hundred Dollars (\$100) of assessed valuation of taxable property; providing for elections to authorize such tax levy; and declaring an emergency."

H. B. No. 1129, A bill to be entitled "An Act amending Acts 1961, 57th Legislature, Chapter 324, creating Rio Grande Palms Water District by correcting the metes and bounds of said District; and declaring an emergency."

H. B. No. 1130, A bill to be entitled "An Act authorizing the District Attorney for the Second Judicial District to employ an Assistant District Attorney; prescribing the powers, duties and compensation of the Assistant District Attorney; making other provisions relating thereto; and declaring an emergency."

H. B. No. 804, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Lakeside Beach Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries from a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and

improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Burnet County; providing District shall bear expenses of relocating, raising or re-routing of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District, and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Burnet County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this District, and related matters;

providing that notice of all elections shall be under hand of president or secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases made by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 890, A bill to be entitled "An Act relating to the creation, administration, powers and duties, and financing of Poteet Community Hospital District of Atascosa County, Texas, by authority of Section 9 Article IX, Constitution of the State of Texas; and declaring an emergency."

H. B. No. 988, A bill to be entitled "An Act relating to the powers and functions of the Dalby Springs Conservation District; amending Sections 2 and 5, Chapter 140, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 897, A bill to be entitled "An Act amending Section 1, Chapter 16, page 654, Acts of the Forty-sixth Legislature, 1939, (codified as Article 7225b, Vernon's Texas Civil Statutes), so as to confer discretionary authority upon all counties within the State of Texas to allow discounts for early payment of county taxes, and repealing all laws or parts of laws in conflict herewith."

H. B. No. 905, A bill to be entitled "An Act relating to the hunting of axis deer in Kendall County; and declaring an emergency."

H. B. No. 928, A bill to be entitled "An Act relating to the publication of the decisions of the Supreme Court and of the Court of Criminal Appeals; repealing Articles 1724, 1725, 1810, 4332, 4333 and 4334, amending Articles 4331, 4331b and 4339; and declaring an emergency."

H. B. No. 936, A bill to be entitled "An Act creating the South Concho River Flood Control District and providing for its administration, powers and duties, financing and procedures; and declaring an emergency."

H. B. No. 974, A bill to be entitled "An Act amending Chapter Twenty-one of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding to Article 21.28, between Section 12 and Section 13, a new Section to be designated Section 12A; authorizing appropriations from funds other than assets of insurers; declaring certain State policy; providing that the Liquidator and employees may be used for other Insurance Department duties when not involved in liquidation or conservation matters; providing a severability clause; and declaring an emergency."

H. B. No. 1014, A bill to be entitled "An Act amending Articles 879h-1, 879h-2, 879h-3, 879h-4, and 879h-5 of the Penal Code of Texas as added by Section 1, Chapter 189, 56th Legislature, 1959, by authorizing the taking of wild antlerless deer during archery season; by including wild antlerless deer in the list of wild game in said Articles regulating archery-methods and length of season; by defining 'deer' to include wild antlerless deer; by changing the title Game and Fish Commission to Parks and Wildlife Commission; by adding Article 879h-6 regulating deer license, tags and permits; repealing all laws in conflict; declaring an emergency."

H. B. No. 1029, A bill to be entitled "An Act relating to the salary of the Criminal District Attorney of Brazoria County; amending Section 4, Chapter 118, Acts of the 53rd Legislature, Regular Session, 1953; and declaring an emergency."

H. B. No. 1031, A bill to be entitled "An Act creating the Lipan Creek Flood Control District and providing for its administration, powers and duties, financing and procedures; and declaring an emergency."

H. B. No. 1032, A bill to be entitled "An Act relating to compensation of the county judge of Brazoria County as a member of the juvenile board; and declaring an emergency."

H. B. No. 1037, A bill to be entitled "An Act relating to the regulatory authority of the Parks and Wildlife Commission over the taking of the wildlife resources of Willacy County; and declaring an emergency."

H. B. No. 1039, A bill to be entitled "An Act requiring all taxing authorities using the services of the county tax assessor-collector, either in assessing or collecting taxes for the taxing authority, to furnish the county tax assessor-collector, on or before July 20th of each year, the tax rate adopted by the taxing authority for the succeeding taxable year; providing in the event such tax rate is not furnished to the county tax assessor-collector, within the time prescribed, the tax rate shall be that rate adopted for the preceding taxable year; making other provisions relating to the subject; and declaring an emergency."

H. B. No. 1045, A bill to be entitled "An Act relating to the creation, administration, powers and duties, and financing of the Yoakum Hospital District in DeWitt, Lavaca, and Gonzales Counties; and declaring an emergency."

H. B. No. 1046, A bill to be entitled "An Act relating to the sale of certain fish taken from private waters in Brazoria County; and declaring an emergency."

H. B. No. 1054, A bill to be entitled "An Act constituting a local law for the maintenance of public roads and highways in LaSalle County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring rights-of-way for designated state highways, including farm-to-market highways, or for federal highways, or for acquiring rights-of-way for county roads, or for the construction, maintenance or improvement of the county roads, in LaSalle County, Texas; providing that in the acquisition of rights-of-way approved by the State Highway Commission; the cost of removing, relocating or adjusting utilities shall be treated as a proper expense and cost of right-of-way acquisition; stating the terms and conditions of issuance of such certificates of indebtedness; requiring the levy of a tax to pay such certificates; providing for and authorizing the refunding of said certificates; enacting other provisions relating to the subject; making the Act cumulative; providing a severability clause; and declaring an emergency."

H. B. No. 1061, A bill to be entitled

"An Act relating to fees which may be charged by child-placing agencies for placement, consultation or other child-placing activities; amending Subsection 2(e) of Section 8(a) of The Public Welfare Act of 1941, as amended; and declaring an emergency."

H. B. No. 1065, A bill to be entitled "An Act relating to hunting quail in Zapata County; and declaring an emergency."

H. B. No. 1068, A bill to be entitled "An Act relating to the regulatory authority of the Parks and Wildlife Commission over the taking of the wildlife resources of the Somerville Reservoir, located in Burleson, Lee, and Washington Counties; and declaring an emergency."

H. B. No. 1069, A bill to be entitled "An Act relating to the exemption of certain corporations organized for strictly educational purposes, from the payment of franchise taxes; amending Article 12.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1070, A bill to be entitled "An Act relating to the salary of the Judge of the 75th Judicial District; amending Chapter 75, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

H. B. No. 539, A bill to be entitled "An Act relating to the leasing of land under elevated freeways for parking purposes; amending Chapter 24, Acts of the 48th Legislature, 1943, as amended; and declaring an emergency."

H. B. No. 561, A bill to be entitled "An Act relating to hunting deer in Jim Hogg County; and declaring an emergency."

H. B. No. 601, A bill to be entitled "An Act relating to hunting deer in Camp, Upshur, and Wood Counties; repealing Chapter 331, Acts of the 55th Legislature, Regular Session, 1957, and Subsection (A), Section 1, Chapter 267, Acts of the 56th Legislature, Regular Session, 1959, as amended; and declaring an emergency."

H. B. No. 625, A bill to be entitled "An Act providing for fees to be received by Sheriffs and Constables in

counties containing a population in excess of one million two hundred thousand (1,200,000) inhabitants according to the last preceding Federal Census; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 639, A bill to be entitled "An Act prohibiting the wilful failure of a motor vehicle operator to stop after a police officer has directed him to do so; providing a penalty; and declaring an emergency."

H. B. No. 650, A bill to be entitled "An Act placing the wildlife resources of Fisher County under the regulatory authority of the Parks and Wildlife Commission; and declaring an emergency."

H. B. No. 651, A bill to be entitled "An Act authorizing the commissioners court in certain counties to furnish each county commissioner an automobile for use in official business; and declaring an emergency."

H. B. No. 663, A bill to be entitled "An Act relating to the salary of the district attorney of the 72nd Judicial District; amending Sections 1 and 2, Chapter 358, Acts of the 52nd Legislature, 1951; and declaring an emergency."

H. B. No. 689, A bill to be entitled "An Act relating to the holding of elections for county school trustees in certain counties; and declaring an emergency."

H. B. No. 707, A bill to be entitled "An Act providing an administrator for independent school districts having fifteen (15) or more classroom teacher units but fewer than twenty (20) and not qualifying for a superintendent unit; and declaring an emergency."

H. B. No. 713, A bill to be entitled "An Act relating to the creation, administration, powers and duties, and financing of the Cuero Hospital District of DeWitt County; and declaring an emergency."

H. B. No. 738, A bill to be entitled "An Act redefining the boundaries of the Rockport Wildlife Sanctuary; amending Section 1, Chapter 1, page 336, General Laws, Acts of the 46th Legislature, 1939, as amended; and declaring an emergency."

H. B. No. 750, A bill to be entitled "An Act constituting a local law for the maintenance of public roads and highways in Victoria County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring rights-of-way for designated State Highways, including Farm-to-Market Highways, or for Federal Highways, or for acquiring rights-of-way for County Roads, or for the construction, maintenance or improvement of the County Roads, in Victoria County, Texas; providing that in the acquisition of rights-of-way approved by the State Highway Commission, the cost of removing, relocating or adjusting utilities shall be treated as a proper expense and cost of right-of-way acquisition; stating the terms and conditions of issuance of such certificates of indebtedness; requiring the levy of a tax to pay such certificates; providing for and authorizing the refunding of said certificates; enacting other provisions relating to the subject; making the Act cumulative; providing a severability clause; and declaring an emergency."

H. B. No. 753, A bill to be entitled "An Act to include within the definition of the term 'exceptional children' eligible for special education services pregnant girls who are residents of or under the care of licensed maternity homes; amending Paragraph a, Subsection (4), Section 1, Article III of Chapter 384, Acts of the 51st Legislature, Regular Session, 1949, as amended; and declaring an emergency."

H. B. No. 756, A bill to be entitled "An Act amending Article 276, Code of Criminal Procedure of Texas, 1925, so as to omit the disqualification of a married woman as a surety on a recognizance or bail bond, so that a married woman will be qualified to be a surety on a recognizance or bail bond; and declaring an emergency."

H. B. No. 758, A bill to be entitled "An Act to amend Article 4629, Revised Civil Statutes of Texas, 1925, as amended so as to eliminate the present double standard as applied to adultery as a ground for divorce by providing that adultery shall be a ground for divorce for either the husband or the wife and so as to provide that imprisonment in a penitentiary other than a Texas penitentiary

shall constitute an element of the ground for divorce based on conviction of a felony; and declaring an emergency."

H. B. No. 759, A bill to be entitled "An Act to amend Article 1064, Revised Civil Statutes of Texas, 1925, so as to delete the disability of coverture from the list of disabilities which have the effect of extending the time during which the owner of land sold for taxes levied by cities and towns may redeem such land; and declaring an emergency."

H. B. No. 762, A bill to be entitled "An Act relating to employing a secretary to act as court reporter for the County Court at Law of Smith County; adding Section 18a to Chapter 232, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 763, A bill to be entitled "An Act relating to salaries of the secretary or stenographer to the county judge in certain counties; amending subsection (c) of Section 1, Chapter 300, Acts of the 53rd Legislature, Regular Session, 1953, as amended; and declaring an emergency."

H. B. No. 766, A bill to be entitled "An Act relating to district executive committees and district conventions of political parties; amending Sections 196a and 224 of the Texas Election Code (Articles 13.18a and 13.47, Vernon's Texas Election Code); and declaring an imperative public necessity for suspension of the Constitutional Rule on the reading of bills."

H. B. No. 779, A bill to be entitled "An Act relating to the disposition of the balance of retirement contributions of a deceased retired judge; amending Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended; and declaring an emergency."

H. B. No. 807, A bill to be entitled "An Act amending Section 2, House Bill No. 921, Chapter 268, Acts of the 55th Legislature, Regular Session, 1957, providing a method for the annexation of territory to Tarrant County Water Control and Improvement District Number One; and declaring an emergency."

H. B. No. 819, A bill to be entitled

"An Act repealing Chapter 406, Acts of the 58th Legislature, 1963, regulating the taking of white-tailed deer in Austin County; and declaring an emergency."

H. B. No. 820, A bill to be entitled "An Act relating to the salary of the assistants to the county superintendent in certain counties; and declaring an emergency."

H. B. No. 847, A bill to be entitled "An Act authorizing commissioners courts to acquire land for dumping and garbage disposal use; repealing Chapter 464, Acts of the 54th Legislature, 1955; and declaring an emergency."

H. B. No. 869, A bill to be entitled "An Act validating certain contracts, instruments, orders, ordinances, resolutions, acts and proceedings of certain incorporated cities; authorizing negotiation and execution of certain contracts relating to the disposal of garbage by certain cities; providing that the Act is applicable only to cities having a population in excess of 900,000 according to the last preceding or any future Federal Census; declaring a public purpose and use; repealing laws in conflict therewith; providing that the provisions of the Act are severable; containing other provisions relating to the subject; and declaring an emergency."

H. B. No. 871, A bill to be entitled "An Act amending Acts, 1951, 52nd Legislature, page 1210, Chap. 498, as amended, known as the Texas Motor Vehicle Safety-Responsibility Act, providing for the surrender of license and automobile registration where such license and automobile registration have been suspended or where the security deposited has been cancelled or terminated, and amending Sec. 32(d) to change the penalty from a fine of not more than Five Hundred Dollars (\$500) or imprisonment not exceeding six (6) months to a fine of not more than Two Hundred Dollars (\$200) for refusing to surrender the license or registration; providing for severability; and declaring an emergency."

H. B. No. 117, A bill to be entitled "An Act amending House Bill No. 5, Acts of the 57th Legislature, First Called Session, 1961, Page 49, Chapter 21, codified as Article 3272a,

Vernon's Civil Statutes, to provide for the making of reports by persons holding abandoned personal property, for the transfer of such property to the custody of the State Treasurer, defining terms, providing for notices, administrative procedures, rules and regulations, examination of books and records, court enforcement, processing of reports now on file, reciprocity, penalties, determination and payment of subsequent claims, Expense and Reimbursement Fund, and other related procedural and enforcement provisions; and Amending Article 3273, Revised Civil Statutes of Texas, 1925, as amended, relating to petition for escheat and determination of abandonment, officials authorized to act, contents and procedures and other related purposes; and Amending Article 7.11 of the Texas Business Corporation Act relating to disposition of certain funds upon voluntary or involuntary dissolution of a corporation and payment of claims thereof; providing for severability; repealing all laws in conflict; and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act repealing Articles 6717 through 6728, 6731 through 6735, 6749, 6755, 6756, 6758, 6765, 6767, and 6768, Revised Civil Statutes of Texas, 1925; Articles 828, 829, 830, and 835, Penal Code of Texas, 1925; Chapter 4, Acts of the 41st Legislature, 3rd Called Session, 1929; Chapter 462, Acts of the 47th Legislature, Regular Session, 1941; and Chapter 201, Acts of the 49th Legislature, 1945; relating to road work; and declaring an emergency."

H. B. No. 194, A bill to be entitled "An Act regulating the sale of shellfish, authorizing the State Commissioner of Health to declare polluted areas from which shellfish may not be taken for the purpose of sale and to establish rules and regulations fixing standards of sanitation in the handling of shellfish; defining 'shellfish,' 'polluted area,' 'Commissioner,' and 'person'; providing for the issuance of certificates of compliance to operators of shellfish shucking and packing plants; making certain acts unlawful; establishing an effective date; fixing penalties for violation; providing a severability clause; and declaring an emergency."

H. B. No. 201, A bill to be entitled

"An Act relating to competence of spouses to testify against each other in certain actions; amending Article 714, Code of Criminal Procedure of Texas; and declaring an emergency."

H. B. No. 283, A bill to be entitled "An Act relating to archery season in Henderson, Kaufman, and Van Zandt Counties; amending Section 2A, Chapter 189, Acts of the 56th Legislature, Regular Session, 1959, as amended, to delete these counties from the list of counties in which the general open archery season does not apply; and declaring an emergency."

H. B. No. 316, A bill to be entitled "An Act amending Section 1 of Chapter 14, Acts of the 42nd Legislature, 1931, as amended (codified as Article 6675a-3aa, Vernon's Texas Civil Statutes, 1955); to provide that owners of motor vehicles used in the conduct of the consular affairs of foreign governments maintaining friendly relations with the United States shall be issued special license plates for a particular period, and declaring an emergency."

H. B. No. 341, A bill to be entitled "An Act relating to certain methods of taking fish from the Sulphur River in certain counties; and declaring an emergency."

H. B. No. 346, A bill to be entitled "An Act amending Article 7152, Revised Civil Statutes of Texas, 1925, as amended, relating to rendition of property for taxation, so as to provide that the separate property of a married person shall be rendered by the owner, or by the husband or wife of the owner, acting as agent; and declaring an emergency."

H. B. No. 366, A bill to be entitled "An Act repealing Article 532, Penal Code of Texas, 1925, which makes it an offense to exhibit women dancers who travel from place to place; and declaring an emergency."

H. B. No. 390, A bill to be entitled "An Act relating to deer in Liberty County; and declaring an emergency."

H. B. No. 417, A bill to be entitled "An Act relating to the conditions under which an election may be called to abolish the office of county superintendent and in certain instances, county school boards; amending Sec-

tion 1(a), Chapter 292, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

H. B. No. 419, A bill to be entitled "An Act to increase per diem paid members attending regular and called meetings of the Veterans Affairs Commission; amending Subsection (b), Section 3, Article 5787, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 422, A bill to be entitled "An Act to amend Section 3 of Chapter 88, Acts of the 41st Legislature, Second Called Session, 1929, as amended (Article 6675a-3, Vernon's Texas Civil Statutes), by adding a new subsection (f) to provide that motor vehicles of certain organizations shall be required to register such vehicles but shall not be required to pay registration fees but shall pay a fee of Five Dollars (\$5); and declaring an emergency."

H. B. No. 474, A bill to be entitled "An Act relating to taxation of cigarettes; amending Sections (13) and (15), Title 7.01, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, and Article 7.09 and 7.21 Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, repealing Article 7.07, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 517, A bill to be entitled "An Act making it unlawful to take or shoot wild deer, wild elk, wild antelope, wild aoudad sheep, and wild desert bighorn sheep with a .22 caliber rifle using rimfire ammunition in Anderson, Andrews, Angelina, Atascosa, Austin, Bastrop, Bee, Brazoria, Brooks, Caldwell, Callahan, Camp, Cass, Chambers, Cherokee, Coleman, Collin, Comal, Concho, Cooke, Crane, Crosby, Dallas, Dawson, Delta, Dickens, Duval, Eastland, Ector, Fayette, Fisher, Foard, Fort Bend, Franklin, Gaines, Galveston, Garza, Glasscock, Grayson, Gregg, Hardeman, Harris, Haskell, Henderson, Hockley, Hopkins, Howard, Irion, Jackson, Jim Hogg, Jones, Karnes, Kaufman, Kenedy, Kent, King, Kleberg, Lamar, Lampasas, La Salle, Lee, Leon, Loving, Lubbock, Lynn, Marion, Martin, Matagorda, Maverick, McMullen, Morris, Nacogdoches, Navarro, Nueces, Panola, Rains, Red River, Re-

fugio, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Saba, Scurry, Shackelford, Shelby, Smith, Sterling, Stonewall, Terry, Throckmorton, Tom Green, Upshur, Upton, Van Zandt, Victoria, Waller, Ward, Washington, Wharton, Willacy, Wilson, Winkler, Wood, Yoakum and Zapata Counties; providing a penalty and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committee

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 569, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 568, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RATLIFF, Chairman.

House Bill 228 Re-referred

On motion of Senator Rogers and by unanimous consent H. B. No. 228 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Agriculture and Livestock.

Senate Bill 569 Ordered Not Printed

On motion of Senator Crump and by unanimous consent S. B. No. 569 was ordered not printed.

Senate Bill 395 on Third Reading

Senator Creighton asked unanimous consent to suspend the regular order of business and take up S. B. No. 395 for consideration at this time.

There was objection.

Senator Creighton then moved to suspend the regular order of business and take up S. B. No. 395 for consideration at this time.

The motion prevailed by the following vote:

Yeas—19

Aikin	Hightower
Cole	Kazen
Colson	Krueger
Creighton	Moore
Crump	Patman
Dies	Ratliff
Hall	Reagan
Harrington	Richter
Hazlewood	Spears
Herring	

Nays—9

Bates	Rogers
Blanchard	Snelson
Calhoun	Strong
Hardeman	Word
Parkhouse	

Absent—Excused

Kennard	Watson
Schwartz	

The President laid before the Senate on its third reading and final passage:

S. B. No. 395, A bill to be entitled "An Act to amend Chapter 28 of the Acts of the First Called Session of the Forty-second Legislature by amending Section 8aa to provide that operators of crude oil gathering systems by pipe line or truck who purchase crude oil shall be common purchasers thereof and purchase without discrimination; adding Section 8aaa to authorize regulation by the Commission of gathering systems for crude petroleum by pipe line or truck and to prohibit purchase of crude petroleum by persons operating such systems unless they are common purchasers and subject to Commission regulation; amending Section 11d to authorize; etc.; and declaring an emergency."

The bill was read the third time and was passed.

Record of Votes

Senators Hardeman, Parkhouse, Dies, Blanchard, Word, Bates and Snelson asked to be recorded as vot-

ing "Nay" on the final passage of S. B. No. 395.

Senate Bill 344 on Second Reading

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 344, A bill to be entitled "An Act amending Chapter Twenty-One of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding Article 21.28, between Section 12 and Section 13, a new Section to be designated Section 12A; authorizing appropriations from funds other than assets of insurers; declaring certain State policy; providing that the Liquidator and employees may be used for other Insurance Department duties when not involved in liquidation or conservation matters; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 344 on Third Reading

Senator Blanchard moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 344 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word

Absent—Excused

Kennard	Watson
Schwartz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Report of Standing Committee

Senator Rogers by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred H. B. No. 228, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ROGERS, Chairman.

House Bill 228 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent H. B. No. 228 was ordered not printed.

House Bills on First Reading

The following bills received from the House were read the first time and referred to the committees indicated:

H. B. No. 211, To the Committee on Jurisprudence.

H. B. No. 538, To the Committee on State Affairs.

H. B. No. 434, To the Committee on Game and Fish.

H. B. No. 174, To the Committee on Finance.

H. B. No. 194, To the Committee on Game and Fish.

H. B. No. 455, To the Committee on Labor and Management Relations.

H. B. No. 713, To the Committee on Counties, Cities and Towns.

H. B. No. 1045, To the Committee on Counties, Cities and Towns.

Senate Bill 572 on First Reading

Senator Rogers by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word

Absent—Excused

Kennard	Watson
Schwartz	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Rogers:

S. B. No. 572, A bill to be entitled "An Act relating to credit for license fees paid on motor vehicles which are subsequently destroyed; and declaring an emergency."

To the Committee on Agriculture and Livestock.

Reports of Standing Committees

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 570, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 571, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Rogers by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred S. B. No. 572, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senate Bill 570 Ordered Not Printed

On motion of Senator Colson and by unanimous consent S. B. No. 570 was ordered not printed.

Senate Bill 571 Ordered Not Printed

On motion of Senator Colson and by unanimous consent S. B. No. 571 was ordered not printed.

Senate Bill 572 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent S. B. No. 572 was ordered not printed.

Notice for Local and Uncontested Bills Calendar

On motion of Senator Hall and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar on Tuesday, May 18, 1965, at 9:00 o'clock a.m.

Communication from Finance Commission

The following communication from the Finance Commission was read and was referred to Committee on Nominations:

Hon. Charles A. Schnabel, Jr.,
Secretary of the Senate
Capitol Station
Austin, Texas

Dear Sir:

This is to advise you that the Finance Commission of Texas at a regular meeting held on Saturday, March 28, 1964, all members being present, by unanimous vote appointed Mr. James O. Gerst to serve in the capacity of Savings and Loan Commissioner of the Savings and Loan Department of Texas, pursuant to Ar-

ticle 342-205, Vernon's Civil Statutes (as amended by the 57th Legislature at its regular session).

You are being advised of this appointment because of the requirement in Article 342-205, V.C.S., that the appointment of a Savings and Loan Commissioner be with the advice and consent of the Senate of Texas. Please advise me if the Senate needs any further information in connection with the appointment of Mr. Gerst to this position.

Yours very truly,

J. M. FALKNER,
Banking Commissioner of Texas
and Chairman of The Finance Commission of Texas.

Notice of Executive Session

Senator Krueger gave notice that he would on tomorrow, May 18, 1965, move for an Executive Session at 10:45 o'clock a.m.

Senate Bill 127 on Second Reading

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 127, A bill to be entitled "An Act relating to the creation of an additional District Court for Lubbock County, Texas, to be known as the District Court of the 137th Judicial District of Texas; and declaring an emergency."

The bill was read second time.

Senator Blanchard offered the following Committee Amendment to the bill:

Amend S. B. No. 127 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. There is created in and for Lubbock County, Texas, an additional district court to be known as the District Court of the 137th Judicial District of Texas, composed of the County of Lubbock.

"Sec. 2. The District Court for the 137th Judicial District of Texas shall have and exercise the jurisdiction prescribed by the constitution and laws of this state for district courts in general, and the judge shall have and exercise the powers conferred by the

constitution and laws of this state on the judges of district courts. The jurisdiction of the court shall be concurrent with the District Court of the 72nd Judicial District of this state in the County of Lubbock and the District Court of the 99th Judicial District of Texas in Lubbock County and the District Court of the 140th Judicial District of Texas in Lubbock County. Any judge of a district court for Lubbock County may in his discretion in term-time or in vacation, transfer a case or cases, civil or criminal, to another district court with the consent of the judge of the other district court by order entered on the minutes of the court from which the case is transferred, or minutes or orders made in chambers as the case may be. The orders when made shall be copied and certified to by the District Clerk of Lubbock County, together with all orders made in the case. The certified copies of the orders, together with the original papers, shall be filed among the papers of any case transferred and the fees shall be taxed as a part of the costs of the suit. The Clerk of the Court shall docket any case in the Court to which it is transferred and when so entered the Court to which the case is transferred shall have the same jurisdiction as in cases originally filed in the Court and the case shall be dropped from the docket of the court from which it was transferred. All process and writs issued out of the district court from which any transfer is made shall be returnable to the term of court to which the transfer is made according to the terms of the district court of the respective courts as fixed by this Act. All bonds executed and recognizances entered into in any district court from which any transfer is made shall bind the parties for their appearance or to fulfill the obligations of such bonds and recognizances at the terms of the court to which the transfer is made as the terms are fixed by this Act.

"Sec. 3. The terms of the District Court of the 137th Judicial District in and for Lubbock County shall be held as follows:

"On the first Monday in January and July of each calendar year, and shall continue in session until and including the Saturday immediately preceding the Monday for convening the next regular term of the 137th

District Court in Lubbock County, Texas.

"Sec. 4. The District Clerk of Lubbock County shall act as the district clerk for the court herein created. Immediately upon the effective date of this Act the Judge of the 72nd Judicial District Court, the Judge of the 99th Judicial District Court, and the Judge of the 140th Judicial District Court shall enter an order transferring a portion of the cases on the dockets in their Courts to the District Court of the 137th Judicial District. The District Clerk of Lubbock County shall thereupon transfer such cases accordingly and enter them upon the docket of the Court created by this Act, together with all records and papers relating thereto.

"Sec. 5. The District Attorney in and for the 72nd Judicial District shall act also as the District Attorney for the District Court of the 137th Judicial District.

"Sec. 6. The Sheriff of Lubbock County shall perform the duties in connection with the court herein created as provided by law for sheriffs to perform in connection with district courts.

"Sec. 7. The Judge of the District Court of the 137th Judicial District shall appoint an official shorthand reporter for the court who shall be well skilled in his profession. He shall be a sworn officer of the court and shall be compensated as provided by law.

"Sec. 8. Upon the effective date of this Act, the Governor shall appoint a Judge of the District Court for the 137th Judicial District who shall have the qualifications required of judges of district courts of this state and who shall hold his office until the next general election and until his successor is duly elected and qualified.

"Sec. 9. A sum of \$16,000 for the fiscal year ending August 31, 1966, and a sum of \$16,000 for the fiscal year ending August 31, 1967, is hereby appropriated from the General Revenue Fund for the salary of the Judge of the District Court of the 137th Judicial District. The salary shall be paid as provided by law.

"Sec. 10. All grand and petit juries drawn and selected under existing laws in Lubbock County shall be considered lawfully drawn and selected for the next ensuing term of the 137th District Court.

"Sec. 11. This Act shall take effect on September 1, 1965.

"Sec. 12. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was read.

Senator Snelson offered the following Committee Amendment to the pending Committee Amendment:

Amend Committee Amendment No. 1 to S. B. No. 127 by adding a new Section 10b to read as follows:

"Sec. 10b. 171st District Court of El Paso County.

"A. Creation and Jurisdiction. (a) The 171st Judicial District is created. Its boundaries are coextensive with the boundaries of El Paso County, Texas, and its court is the 171st District Court of El Paso County, Texas.

"(b) The 171st District Court has the jurisdiction provided for district courts by the constitution and laws of this state. Its jurisdiction is concurrent with that of the 34th, 41st, 65th, and 120th District Courts.

"B. Terms of Court. The terms of the 171st District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the court continues until the next succeeding term convenes.

"C. Judge. As soon as practicable after the effective date of this Act, the Governor shall appoint as Judge of the 171st District Court a person qualified to serve as a district judge under the constitution and laws of this state. The judge appointed holds office until the next general election and until his successor is duly elected and qualified. The judge appointed and his successors are entitled to the same compensation and allowances provided by law for other district judges.

"D. Court Officials. (a) The Judge of the 171st District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and

is entitled to the same compensation, fees, and allowances provided by law for other official court reporters.

"(b) The District Attorney of the 34th Judicial District and the Sheriff and District Clerk of El Paso County shall serve as District Attorney, Sheriff, and Clerk, respectively, of the 171st District Court. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

"E. Transfer of Causes. (a) The judges of the 34th, 41st, 65th, 120th, and 171st District Courts may freely transfer causes, civil and criminal, to and from the dockets of their respective courts. The judges may also freely exchange benches and courtrooms with each other so that if a judge is ill, disqualified, or otherwise absent, another judge may hold court for him without the necessity of transferring the cause involved.

"(b) A judge of one of the district courts of El Paso County may hear all or any part of a cause pending in another district court of that county; and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause without the necessity of transferring it to his own docket."

The amendment was read and was adopted.

Senator Blanchard offered the following Committee Amendment to the pending Committee Amendment:

Amend Committee Amendment No. 1 to S. B. No. 127 by adding a new section to be known as Section 10a to read as follows:

"Section 10a. Dallas County.

A. There is hereby created, effective October 1, 1965, in and for Dallas County, Texas, one additional Criminal Judicial District to be known as Criminal Judicial District Number 5, and the Court of said District shall be known as the Criminal District Court Number 5 of Dallas County, Texas. The limits of said district shall be co-extensive with the limits of Dallas County, Texas.

B. The Criminal District Court Number 5 shall have and exercise the powers conferred by the constitution and laws of the State of Texas on the Judges of the existing Criminal District Courts of Dallas County, Texas, and the jurisdiction of said

Court shall be concurrent with that of the existing Criminal District Courts of Dallas County, Texas. The said Court shall have and exercise, in addition to the jurisdiction now conferred by law on said Court, concurrent jurisdiction co-extensive with the limits of Dallas County in all actions, proceedings, matters and causes, both civil and criminal, of which District Courts of general jurisdiction are given jurisdiction by the constitution and laws of the State of Texas.

C. The terms of said Criminal District Court Number 5 shall begin on the first Monday of January, April, July, and October of each year respectively, and each of said terms of said Court shall continue until the convening of the next succeeding term.

D. The Judge of said Criminal District Court Number 5 is authorized to appoint an official court reporter for such Court, and said court reporter shall have the qualifications now required by law for official shorthand reporters. Such reporter shall perform the duties as required by law and such duties as may be assigned to the Court Reporter by the Judge of such Court and shall receive as compensation for his services the compensation now allowed or hereafter allowed for the official shorthand reporters for the District Courts of Dallas County, Texas, under the laws of this state.

E. The District Clerk shall equalize the dockets of the Criminal District Courts of Dallas County by transferring cases from the Criminal District Court, the Criminal District Court Number 2, the Criminal District Court Number 3, and the Criminal District Court Number 4 to the Criminal District Court Number 5 hereby created.

F. The Judge of any of the District Courts in Dallas County may in his discretion try and dispose of any causes, matters or proceedings for any other Judge of said courts. Either of the Judges of said District Courts of Dallas County may at his discretion at term time or in vacation transfer a case or cases to said other District Court with the consent of the Judge of said other District Court by order entered in the minutes of his court. When such transfer is ordered, the District Clerk of Dallas County shall certify all orders made in said case and such certified copies of such orders together with the original papers shall be filed among the papers

of the case thus transferred and the fees thereof shall be taxed as part of the costs of said suit and the Clerk of said Court shall docket any such case in the Court to which it shall have been transferred, and when so entered, the Court to which same shall have been thus transferred shall have like jurisdiction therein as in cases originally filed in said court. All process and writs issued out of the District Court from which any such transfer is made shall be returnable to the Court to which said transfer is made.

G. The District Attorney of Dallas County shall also be the District Attorney for the additional Criminal District Court hereby created.

H. The District Clerk of Dallas County, Texas shall also act as District Clerk for the Criminal District Court Number 5 hereby created.

I. The Sheriff of Dallas County, either in person or by deputy shall attend the Criminal District Court Number 5 as required by the Judge thereof, and the Sheriff and Constables of the several counties of this state, with executing process issued out of said Court, shall receive fees as provided by general law for executing processes issued out of District Courts.

J. All processes, writs, bonds, recognizances or other obligations issued out of the District Courts or Criminal District Courts of Dallas County are hereby made returnable to the said District Courts of Dallas County as required by law and all bonds executed and recognizances entered by and in said courts shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such courts as fixed by law and this Act, and all processes heretofore returned or hereafter returned to the District Courts of Dallas County shall be valid.

K. Except as herein otherwise provided, the laws and parts of laws applicable to District Courts and Criminal District Courts of Dallas County shall be applicable to the Criminal District Court Number 5 created by this Act.

L. If any provision of this Act is held unconstitutional or invalid, such invalidity shall not affect the remaining provision of this Act. Except as otherwise provided in this Act all laws now in effect with respect to Judicial District Courts and Criminal District Courts of Dallas County shall

apply respectively to the Criminal District Court Number 5 created by this Act.

M. The Governor shall appoint a suitable person as Judge of the Criminal Court Number 5 of Dallas County created by this Act, who shall hold office until the next general election and until his successor has been duly elected and qualified. At the first general election after the creation of said Court provided for herein, the Judge of said Court shall be elected for a term of four (4) years. Such person so appointed and elected shall have the qualifications provided by the constitution and the laws of this state for District Judges. The Judge of said Court created by this Act shall draw the same compensation that is provided by the laws of the State of Texas for District Judges of Dallas County."

The Committee Amendment was read and was adopted.

The original Committee Amendment as amended was then adopted.

On motion of Senator Blanchard and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to engrossment.

Senate Bill 127 on Third Reading

Senator Blanchard moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 127 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—26

Aikin	Kazen
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

Nays—1

Hardeman

Absent

Creighton

Absent—Excused

Kennard	Watson
Schwartz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Dies, Aikin, Strong, Colson and Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 127.

Senate Bill 568 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent S. B. No. 568 was ordered not printed.

Reports of Standing Committees

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to which was referred H. B. No. 434, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1045, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 713, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

House Bill 434 Ordered Not Printed

On motion of Senator Harrington and by unanimous consent H. B. No. 434 was ordered not printed.

House Bill 1045 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 1045 was ordered not printed.

House Bill 713 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 713 was ordered not printed.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the committee indicated:

H. B. No. 807, To the Committee on Counties, Cities and Towns.

Senate Resolution 696

Senator Strong offered the following resolution:

Whereas, On Thursday, May 20, 1965, Mrs. Beatrice Lloyd of Marshall, Harrison County, Texas, will have completed 43 years of teaching service in the public schools of the State of Texas, and

Whereas, At age 70, Mrs. Lloyd is retiring from the teaching profession with a proud record of long, devoted service, and

Whereas, On May 20, 1965, the teachers and administration of the Sam Houston School of Marshall, Texas, are honoring Mrs. Lloyd on her retirement and for her contributions to their school, where she is known for her sweet disposition, her thoughtfulness, and her devotion to duty; now, therefore, be it

Resolved by the Senate of the State of Texas that official congratulations and appreciation of the Senate be extended to Mrs. Beatrice Lloyd on her retirement from school teaching in Texas after 43 years of distinguished service.

The resolution was read and was adopted.

Committee Substitute Senate Bill 444 on Second Reading

On motion of Senator Blanchard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 444. A bill to be entitled "An Act amending Acts of the 52nd Legislature, Regular Session, 1951, Chapter 491, page 868, known as the Insurance Code, by amending Article 10.19 thereof so as to provide that hereafter only such corporation, society or order of voluntary association having not less than five hundred (500) members and ten (10) subordinate lodges, and meeting the requirements of Article 10.01, and which has been in continuous operation for not less than five (5) years immediately preceding the filing of its articles of incorporation or association, may qualify to provide the benefits enumerated in Article 10.05 by filing articles of incorporation or association, constitution and laws, rules and regulations, proposed forms of benefit certificates, applications therefor and circulars to be issued, bond with sureties approved by the State Board of Insurance, conditioned upon the return of the advance payment to the applicants for insurance benefits; imposing a limitation upon the time in which such qualification must be completed; providing for the issuance by the State Board of Insurance of a preliminary certificate authorizing such organization to solicit from its members applications for insurance benefits; prescribing conditions upon which such solicitation may be made; imposing limitations upon the incurring of liability by the organization pending its qualifications; prescribing the disposition to be made of funds received by the organization in advance payment of the insurance benefits applied for; providing for the issuance of a permanent certificate by the State Board of Insurance upon presentation of satisfactory evidence that the organization has complied with all provisions of law; providing that the preliminary certificate will become null and void if qualification is not completed within one (1) year, or any extension thereof; prescribing

conditions upon which the permanent certificate may become null and void; providing that the organization may have certain powers; exempting societies exempt from Chapter Ten of the Insurance Code; partially exempting Fraternal Benefit Societies authorized to transact business in this State on June 1, 1965; repealing all laws in conflict herewith; providing a saving clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Committee Substitute
Senate Bill 444 on Third Reading**

Senator Blanchard moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 444 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Word

Absent—Excused

Kennard	Watson
Schwartz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committees

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was

referred H. B. No. 807, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 194, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

CREIGHTON, Chairman.

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 795, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed, as amended.

RATLIFF, Chairman.

House Bill 194 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 194 was ordered not printed.

House Bill 807 Ordered Not Printed

On motion of Senator Word and by unanimous consent H. B. No. 807 was ordered not printed.

Recess

On motion of Senator Hardeman the Senate at 11:55 o'clock a.m. took recess until 2:15 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:15 o'clock p.m. today.

At Ease

The President at 2:15 o'clock p.m.

announced that the Senate would Stand at Ease Subject to the Call of the Chair.

(Senator Hightower in the Chair.)

(President in the Chair.)

The President called the Senate to order at 2:53 o'clock p.m. today.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 102—Suspending the Joint Rules to consider House Bill No. 1059.

H. C. R. No. 103—Suspending the Joint Rules to consider House Bill No. 1058.

H. J. R. No. 81, Proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a and Subsections 51a-1 and 51a-2 of Article III providing assistance to and/or medical care on behalf of needy aged persons over the age of sixty-five (65) . . . etc.

H. C. R. No. 117, Providing for a six-member legislative committee to study all phases of the State's building and renovation program.

H. B. No. 841, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Inverness Forest Improvement District"; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for con-

firmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Harris County; providing District shall bear expenses of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District, and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Harris County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this District, and related matters; providing that notice of all elections shall be under hand of president or secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases made

by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 842, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Sequoia Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Harris County; providing District shall bear expenses of relocating, raising or rerouting of any highway, railroad, or utility lines or

pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District, and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Harris County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this District, and related matters; providing that notice of all elections shall be under hand of president or secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases made by District shall be tax-free in this State; providing the bonds and refunding of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 940, A bill to be entitled "An Act amending Chapter 424, Acts of the 58th Legislature, 1963, page 1017, Section 24 by adding to section 24, allowing each commissioner in certain counties to certify to the assessor and collector names of citizens to be commissioned poll tax deputies."

H. B. No. 977, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Wilcrest Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights,

powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Harris County; providing District shall bear expenses of relocating, raising or rerouting of any highway, railroad or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District; and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Harris County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this District, and re-

lated matters; providing that notice of all elections shall be under hand of president and secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases made by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 978, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Briarwick Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the

bonds and refunding bonds; providing the power of eminent domain shall be limited to Harris County; providing District shall bear expenses of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District; and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Harris County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this District, and related matters; providing that notice of all elections shall be under hand of president and secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases made by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 979, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Bender Road Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article

16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Harris County; providing District shall bear expenses of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Harris County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this District, and related matters; providing that notice of all elections shall be under hand of president and secretary; providing for canvassing election returns; pro-

viding the bonds of this District and their transfer and income therefrom and profits thereon and purchases made by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 1011, A bill to be entitled "An Act relating to leasing mineral interests when the whereabouts of one or more of the owners is unknown; and declaring an emergency."

H. B. No. 1051, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Turkey Creek Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and provid-

ing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Harris County; providing District shall bear expenses of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District; and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Harris County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this District, and related matters; providing that notice of all elections shall be under hand of president and secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases made by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

Pursuant to the provisions of S. C. R. No. 10, the chair appoints the following Members to the Poet Laureate Committee: Slider, Brown of Taylor.

The House has adopted the Conference Committee Report on House Bill No. 385 by a nonrecord vote.

The House has granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 145.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 795, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

House Bill 795 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent H. B. No. 795 was ordered not printed.

Senate Bill 301 with House Amendment

Senator Parkhouse called S. B. No. 301 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 301 by striking out all of the first sentence of Article 3.50-1 contained in Section 1 of S. B. 301 and inserting in lieu thereof the following:

"No provision in the Insurance Code shall be construed to prohibit a life insurance company authorized to do business in this state from guaranteeing to issue individual life insurance policies insuring participants in a qualified pension or profit-sharing plan on other than the term plan without evidence of insurability."

The House amendment was read.

Senator Parkhouse moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Concurrent Resolution 29 with House Amendment

Senator Harrington called S. C. R. No. 29 from the President's table for consideration of the House amendment to the resolution.

The President laid the resolution and the following House amendment before the Senate:

Amendment No. 1

Amend S. C. R. No. 29 by striking the last Resolving Clause and substituting in lieu thereof the following:

Resolved, That nothing herein shall be construed as an admission on the part of the State of Texas, or any of the departments or agencies of the State of Texas, as to the validity of any allegations or claims asserted in said suit, but that all allegations and claims asserted in said suit must be proved as in other suits under the same rules of evidence and the same laws as apply in, and govern the trial of, other civil cases; and, be it further

Resolved, That nothing herein shall be construed as a waiver of any defenses, of fact as well as law, that may be asserted by, or available to, the State of Texas or any of the departments or agencies of the State of Texas or any of the political subdivisions of the State of Texas, in said suit, but that all such defenses are hereby specifically reserved.

The amendment was read.

Senator Harrington moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 384 with House Amendment

Senator Snelson called S. B. No. 384 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend quoted Section 4 in Section 1 of Senate Bill No. 384 to read as follows:

"Sec. 4. The commissioners court of any county having a population of not less than 250,000 nor more than 500,000, according to the last preceding federal census, may appoint a minimum of 7 but not more than 21 persons who are residents of the county to constitute a child welfare board for the county. Members shall serve without compensation and at the pleasure of the commissioners

court. The board shall select its own chairman, perform the duties required of it by the commissioners court, and cooperate with the State Department of Public Welfare in implementing the purposes of this Act. The commissioners court may remove any member of the county child welfare board for just cause."

The House amendment was read.

Senator Snelson moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 527 with House Amendment

Senator Cole called S. B. No. 527 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend Section 2 as quoted in Section 3 of S. B. No. 527 by striking the words "of normal mentality," from the first sentence.

The House amendment was read.

Senator Cole moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 348 with House Amendment

Senator Hightower called S. B. No. 348 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 348 by inserting on line 48 of Section 1 in quoted Section 3, between the words "university" and "providing," the phrase "or public junior colleges."

The House amendment was read.

Senator Hightower moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 385 on Third Reading

Senator Snelson asked unanimous consent to suspend the regular order of business and take up S. B. No. 385 for consideration at this time.

There was objection.

Senator Snelson then moved to suspend the regular order of business and take up S. B. No. 385 for consideration at this time.

The motion prevailed by the following vote:

Yeas—19

Aikin	Patman
Bates	Ratliff
Blanchard	Reagan
Cole	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hightower	Watson
Krueger	Word
Parkhouse	

Nays—8

Calhoun	Hazlewood
Colson	Herring
Creighton	Kazen
Dies	Strong

Absent

Crump	Moore
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Absent—Excused

Kennard	Schwartz
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The President laid before the Senate on its third reading and final passage:

S. B. No. 385, A bill to be entitled "An Act establishing Permian State College and providing for its management and operation; and declaring an emergency."

The bill was read the third time and was passed.

Record of Votes

Senators Herring, Colson, Strong, Creighton, Krueger, Richter, Kazen, Parkhouse and Hazlewood asked to be recorded as voting "Nay" on the final passage of S. B. No. 385.

Senate Bill 544 on Third Reading

Senator Aikin asked unanimous consent to suspend the regular order of business and take up S. B. No. 544 for consideration at this time.

There was objection.

Senator Aikin then moved to suspend the regular order of business and take up S. B. No. 544 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Parkhouse
Bates	Patman
Blanchard	Ratliff
Cole	Reagan
Crump	Richter
Dies	Rogers
Hall	Snelson
Hardeman	Spears
Harrington	Watson
Hightower	Word
Krueger	

Nays—7

Calhoun	Herring
Colson	Kazen
Creighton	Strong
Hazlewood	

Absent

Moore

Absent—Excused

Kennard	Schwartz
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The President laid before the Senate on its third reading and final passage:

S. B. No. 544, A bill to be entitled "An Act creating and establishing Texarkana State College at Texarkana, Texas, as a coeducational institution of higher learning, providing that the organization, management, and control of said College shall be vested in the Board of Regents of the State Teachers Colleges; etc.; and declaring an emergency."

The bill was read third time and was finally passed.

Record of Votes

Senators Herring, Krueger, Richter, Dies, Blanchard, Creighton, Calhoun, Colson and Parkhouse asked to be recorded as voting "Nay" on the final passage of S. B. No. 544.

Motion to Place

Senate Bill 49 on Second Reading

Senator Crump asked unanimous consent to suspend the regular order of business and take up S. B. No. 49 for consideration at this time.

There was objection.

Senator Crump then moved to suspend the regular order of business and take up S. B. No. 49 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Aikin	Hazlewood
Calhoun	Herring
Colson	Hightower
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Hall	Snelson
Hardeman	Strong
Harrington	Word

Nays—10

Bates	Patman
Blanchard	Richter
Cole	Rogers
Kazen	Spears
Krueger	Watson

Absent

Moore

Absent—Excused

Kennard	Schwartz
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Presentation of Guests

Senator Bates by unanimous consent presented his son Jim Bates, Jr., Messrs. Garrett, Cookston and Wilson, all students of Allen Military Academy of Bryan to the Members of the Senate.

Conference Committee Report on House Bill 385

Senator Watson submitted the following Conference Committee Report on H. B. No. 385:

Austin, Texas,
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on House Bill No. 385, have met and adjusted our differences and beg leave to recommend that House Bill No. 385 be passed in the form attached hereto.

WATSON
WORD
HERRING

CRUMP
MOORE
On the part of the Senate.
COWDEN
JOHNSON
WOODS
CHERRY
FONDREN

On the part of the House.

H. B. No. 385, A bill to be entitled
An Act relating to the salary of the
judges of the 19th, 54th, and 74th
Judicial Districts; and declaring
an emergency.

**BE IT ENACTED BY THE LEGIS-
LATURE OF THE STATE OF
TEXAS:**

Section 1. (a) The commissioners
court of McLennan County shall sup-
plement the salary of the judges of
the 19th, 54th, and 74th Judicial
Districts in an amount not less than
\$1,500 nor more than \$5,000 a year
for services rendered to the Juvenile
Board of McLennan County.

(b) The commissioners court may
also supplement these judges' salaries
by not more than \$5,000 a year for
administrative services rendered to
the county.

Sec. 2. The supplemental salary de-
scribed in Section 1 of this Act is in
addition to all other salary now paid
or authorized to be paid by the state
to the judges of the 19th, 54th, and
74th Judicial Districts.

Sec. 3. If any of the provisions of
this Act or the application thereof to
any person or circumstance is held
invalid, such invalidity shall not af-
fect other provisions or applications
of this Act which can be given effect
without the invalid provisions or ap-
plications, and to this end the provi-
sions of this Act are declared to be
severable.

Sec. 4. The importance of this leg-
islation and the crowded condition of
the calendar in both houses create an
emergency and an imperative public
necessity that the Constitutional Rule
requiring bills to be read on three sev-
eral days in each house be suspended,
and the Rule is hereby suspended.

The Conference Committee Report
was read and was adopted.

House Bill 808 on Second Reading

On motion of Senator Patman and
by unanimous consent, the regular
order of business was suspended to
take up for consideration at this time
on its second reading and passage to
third reading:

H. B. No. 808, A bill to be entitled
"An Act to amend Section 1 of House
Bill 374, Acts of the 54th Legisla-
ture, Regular Session, 1955, Chapter
427, as amended, codified as Article
3883i, Vernon's Civil Statutes of Tex-
as, for the purpose of providing a
more reasonable reclassification as to
salary authorization of county offi-
cials in the present lowest population
bracket; etc.; and declaring an emer-
gency."

The bill was read second time and
passed to third reading.

House Bill 808 on Third Reading

Senator Patman moved that the
Constitutional Rule and Senate Rule
32 requiring bills to be read on three
several days be suspended and that
H. B. No. 808 be placed on its third
reading and final passage.

The motion prevailed by the fol-
lowing vote:

Yeas—28

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word

Absent

Moore

Absent—Excused

Kennard

Schwartz

The President then laid the bill be-
fore the Senate on its third reading
and final passage.

The bill was read third time and
was passed by the following vote:

Yeas—28

Aikin	Crump
Bates	Dies
Blanchard	Hall
Calhoun	Hardeman
Cole	Harrington
Colson	Hazlewood
Creighton	Herring

Hightower	Richter
Kazen	Rogers
Krueger	Snelson
Parkhouse	Spears
Patman	Strong
Ratliff	Watson
Reagan	Word

Absent

Moore

Absent—Excused

Kennard Schwartz

Senate Bill 77 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up S. B. No. 77 for consideration at this time.

There was objection.

Senator Reagan then moved to suspend the regular order of business and take up S. B. No. 77 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Snelson
Hall	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word

Nays—3Hardeman Ratliff
Parkhouse

Absent—Excused

Kennard Schwartz

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 77, A bill to be entitled "An Act amending Section 3, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended, and adding a new section to the Act so as to revise the list of boilers exempt from the Act or from certain

sections thereof; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the passage of S. B. No. 77 to engrossment.

Senate Bill 77 on Third Reading

Senator Reagan moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 77 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hightower
Bates	Kazen
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Snelson
Hall	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word

Nays—3Hardeman Ratliff
Parkhouse

Absent—Excused

Kennard Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Hazlewood
Bates	Herring
Blanchard	Hightower
Calhoun	Kazen
Cole	Krueger
Colson	Moore
Creighton	Patman
Crump	Reagan
Dies	Richter
Hall	Rogers
Harrington	Snelson

Spears Watson
Strong Word

Nays—3

Hardeman Ratliff
Parkhouse

Absent—Excused

Kennard Schwartz

**House Bills and Resolutions
on First Reading**

The following bills and resolutions received from the House, were read the first time and referred to the committees indicated:

H. B. No. 940, To the Committee on Finance.

H. B. No. 1031, To the Committee on Water and Conservation.

H. B. No. 936, To the Committee on Counties, Cities and Towns.

H. B. No. 928, To the Committee on Counties, Cities and Towns.

H. B. No. 650, To the Committee on Game and Fish.

H. B. No. 639, To the Committee on Jurisprudence.

H. B. No. 625, To the Committee on Counties, Cities and Towns.

H. B. No. 601, To the Committee on Game and Fish.

H. B. No. 539, To the Committee on State Affairs.

H. B. No. 517, To the Committee on Game and Fish.

H. B. No. 474, To the Committee on State Affairs.

H. B. No. 422, To the Committee on Counties, Cities and Towns.

H. B. No. 419, To the Committee on Military and Veterans Affairs.

H. B. No. 417, To the Committee on Counties, Cities and Towns.

H. B. No. 390, To the Committee on Game and Fish.

H. B. No. 366, To the Committee on Jurisprudence.

H. B. No. 346, To the Committee on State Affairs.

H. B. No. 341, To the Committee on Game and Fish.

H. B. No. 316, To the Committee on State Affairs.

H. B. No. 283, To the Committee on Game and Fish.

H. B. No. 201, To the Committee on Jurisprudence.

H. B. No. 147, To the Committee on Counties, Cities and Towns.

H. B. No. 117, To the Committee on State Affairs.

H. B. No. 1051, To the Committee on Water and Conservation.

H. B. No. 1011, To the Committee on Jurisprudence.

H. B. No. 979, To the Committee on Water and Conservation.

H. B. No. 978, To the Committee on Water and Conservation.

H. B. No. 977, To the Committee on Water and Conservation.

H. B. No. 842, To the Committee on Water and Conservation.

H. B. No. 841, To the Committee on Water and Conservation.

H. J. R. No. 81, To the Committee on Constitutional Amendments.

H. B. No. 759, To the Committee on Jurisprudence.

H. B. No. 758, To the Committee on Jurisprudence.

H. B. No. 756, To the Committee on Jurisprudence.

H. B. No. 1148, To the Committee on Public Health.

H. B. No. 1147, To the Committee on Counties, Cities and Towns.

H. B. No. 1141, To the Committee on Game and Fish.

H. B. No. 1131, To the Committee on Water and Conservation.

H. B. No. 1130, To the Committee on Counties, Cities and Towns.

H. B. No. 1129, To the Committee on Water and Conservation.

H. B. No. 1123, To the Committee on Education.

- H. B. No. 1115, To the Committee on Counties, Cities and Towns.
- H. B. No. 1114, To the Committee on Counties, Cities and Towns.
- H. B. No. 1112, To the Committee on Water and Conservation.
- H. B. No. 1111, To the Committee on Counties, Cities and Towns.
- H. B. No. 1104, To the Committee on Counties, Cities and Towns.
- H. B. No. 1098, To the Committee on Counties, Cities and Towns.
- H. B. No. 1087, To the Committee on Counties, Cities and Towns.
- H. B. No. 1082, To the Committee on Counties, Cities and Towns.
- H. B. No. 1081, To the Committee on Counties, Cities and Towns.
- H. B. No. 1079, To the Committee on Counties, Cities and Towns.
- H. B. No. 1074, To the Committee on Game and Fish.
- H. B. No. 1071, To the Committee on Insurance.
- H. B. No. 1070, To the Committee on Counties, Cities and Towns.
- H. B. No. 1069, To the Committee on State Affairs.
- H. B. No. 1068, To the Committee on Game and Fish.
- H. B. No. 1065, To the Committee on Game and Fish.
- H. B. No. 1061, To the Committee on Jurisprudence.
- H. B. No. 1054, To the Committee on Counties, Cities and Towns.
- H. B. No. 1046, To the Committee on Counties, Cities and Towns.
- H. B. No. 1039, To the Committee on State Affairs.
- H. B. No. 1037, To the Committee on Counties, Cities and Towns.
- H. B. No. 1032, To the Committee on Counties, Cities and Towns.
- H. B. No. 1029, To the Committee on Counties, Cities and Towns.
- H. B. No. 1014, To the Committee on Game and Fish.
- H. B. No. 988, To the Committee on Water and Conservation.
- H. B. No. 974, To the Committee on Insurance.
- H. B. No. 905, To the Committee on Game and Fish.
- H. B. No. 897, To the Committee on State Affairs.
- H. B. No. 890, To the Committee on Counties, Cities and Towns.
- H. B. No. 871, To the Committee on Jurisprudence.
- H. B. No. 869, To the Committee on Counties, Cities and Towns.
- H. B. No. 847, To the Committee on Counties, Cities and Towns.
- H. B. No. 820, To the Committee on Counties, Cities and Towns.
- H. B. No. 819, To the Committee on Counties, Cities and Towns.
- H. B. No. 804, To the Committee on Water and Conservation.
- H. B. No. 779, To the Committee on State Affairs.
- H. B. No. 766, To the Committee on Privileges and Elections.
- H. B. No. 763, To the Committee on Counties, Cities and Towns.
- H. B. No. 762, To the Committee on Counties, Cities and Towns.
- H. B. No. 753, To the Committee on State Affairs.
- H. B. No. 750, To the Committee on Counties, Cities and Towns.
- H. B. No. 738, To the Committee on Game and Fish.
- H. B. No. 707, To the Committee on Education.
- H. B. No. 689, To the Committee on Counties, Cities and Towns.
- H. B. No. 663, To the Committee on Counties, Cities and Towns.
- H. B. No. 651, To the Committee on Counties, Cities and Towns.
- H. C. R. No. 51, To the Committee on Jurisprudence.
- H. B. No. 561, To the Committee on Game and Fish.

**House Concurrent Resolution 135
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 135, Extending congratulations to the Honorable M. M. Stripling, Mayor of Nacogdoches, and citizens of Nacogdoches.

The resolution was read.

By unanimous consent, the resolution was considered immediately and was adopted.

Reports of Standing Committees

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 115, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 1118, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to which was referred H. B. No. 1074, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

**Senate Bill 235 with
House Amendment**

Senator Bates called S. B. No. 235 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment 1

Amend S. B. No. 235 by inserting immediately after the words "Board for Texas State Hospitals and Special Schools" wherever such words appear the words "or such Board's successor in function."

The House amendment was read.

Senator Bates moved that the Senate concur in the House amendment.

The motion prevailed.

At Ease

On motion of Senator Aikin and by unanimous consent the Senate at 4:01 o'clock p.m. agreed to stand At Ease Subject to the Call of the Chair.

(Senator Reagan in the Chair.)

(Senator Snelson in the Chair.)

In Legislative Session

The President called the Senate to order as In Legislative Session at 4:50 o'clock p.m. today.

**Committee Substitute
Senate Bill 4 on Second Reading**

Senator Aikin moved to suspend the regular order of business to take up C. S. S. B. No. 4 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Hazlewood
Bates	Herring
Blanchard	Hightower
Calhoun	Kazen
Cole	Krueger
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Hardeman	Richter
Harrington	Snelson

Spears
Strong

Word

Absent

Rogers

Watson

Absent—Excused

Kennard

Schwartz

The President then laid the bill before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 4, A bill to be entitled "An Act amending Section 1 of Article IV of Senate Bill 116, Chapter 324, Acts of the Regular Session of the 51st Legislature (the Foundation School Program Act) as heretofore amended, to provide for a Forty-Five Dollars (\$45) per month increase in the Minimum Salary Schedule of all professional personnel included in said Section 1, Article IV; providing for an increase in the local fund assignment made pursuant to Section 2 of Article VI of the Foundation School Program Act for the year 1965-66 to cover part of the cost of the salary increase provided for herein, and providing that for the years 1966-67 and thereafter, the local fund assignment shall be determined as provided in said Section 2 of Article VI; prescribing the effective date of this Act; declaring the Act to be severable; and declaring an emergency."

The bill was read the second time.

Senator Strong offered the following amendment to the bill:

Amend C. S. S. B. No. 4 by striking out all below the enacting clause and substitute in lieu thereof the following:

Section 1. Amend Subsection 1 of Section 1 of Article IV, Senate Bill 116, Chapter 334, 51st Legislature, Regular Session, 1949, as last amended by Senate Bill No. 1, Chapter 1, Acts 57th Legislature, Second Called Session, 1961, (compiled Article 2922-14, Section 1, subsection 1 in V.T.S.C., as amended) to read hereafter as follows:

"1. Classroom teachers. The annual salary of classroom teachers shall be the monthly base salary, plus increments, multiplied by nine (9); provided that if the length of the school term is less than nine (9) months, the annual salary shall be such base sal-

ary and increments multiplied by the number of months of the term.

"a. The minimum base pay for a classroom teacher who holds a Bachelor Degree and no higher shall be Four Hundred Fifty-Six (\$456) Dollars per month. Thirteen (\$13) Dollars per month shall be added for each year of teaching experience but not to exceed One Hundred Fifty-Six (\$156) Dollars per month.

"b. The minimum base pay for a classroom teacher who has less than a Bachelor's Degree shall be Three Hundred Twenty-Three (\$323) Dollars per month. Thirteen (\$13) Dollars per month shall be added for each year of teaching experience but not to exceed One Hundred Thirty (\$130) Dollars per month.

"c. The minimum monthly base pay for a classroom teacher who holds a Master Degree shall be Four Hundred Ninety (\$490) Dollars per month. Thirteen (\$13) Dollars per month shall be added for each year of teaching experience but not to exceed Two Hundred Thirty-Four (\$234) Dollars per month.

Sec. 2. Amend Sections 2 and 4 of Article VI, Senate Bill 116, supra, as last amended by Senate Bill No. 1, Chapter 1, Acts 57th Legislature, Second Called Session, 1961 (compiled Article 2922-16, Secs. 2 and 4 in V.T.C.S.) to read hereafter as follows:

"Sec. 2. The sum of the amounts to be charged for the 1965-66 school year against the local school districts of the State toward such Foundation School Program shall be One Hundred Thirty-Two Million Five Hundred Thousand (\$132,500,000) Dollars. For the 1966-67 school year, and for each school year thereafter the sum of the amounts to be charged against the local school districts of the State toward such Foundation School Program shall be twenty (20%) per cent of the estimated total cost of the Foundation School Program for the immediately preceding school year, plus an amount equal to the difference between the gross Local Fund Assignment and the net Local Fund Assignment for the immediately preceding school year. At its regular meeting in March 1966, and at each regular meeting in March thereafter, the State Board of Education after receiving the recommendation of the State Commissioner of

Education, shall estimate the total cost of the Foundation School Program for the then current school year, based upon laws and approved school budgets in effect on the date when such estimate is made. Within thirty (30) days after such estimate has been made, the State Commissioner of Education, subject to the approval of the State Board of Education, shall assign each school district according to its taxpaying ability as determined in this Act, its proportionate part of such total to be raised locally for the next school year and applied towards the financing of its Minimum Foundation School Program.

"Sec. 4. For the school year beginning 1966-67 and each school year thereafter, the State Commissioner of Education shall calculate and determine the total sum of local funds that the school districts of a county shall be assigned to contribute toward the total cost of the Foundation School Program by multiplying twenty (20%) per cent of the estimated Foundation Program cost for the immediately preceding school year, plus an amount equal to the difference between the gross Local Fund Assignment and the net Local Fund Assignment for the immediately preceding school year as determined under the provisions of this Act, by the economic index determined for each county. The product shall be regarded as the local funds available in each respective county toward the support of the Foundation School Program and shall be used in calculating the portion of said amount which shall be assigned to each school district in the county."

Sec. 3. In addition to the appropriation made from the Foundation School Fund by Article IV of House Bill No. 12, Acts of Fifty-Eighth Legislature, Regular Session, 1965, and supplemental thereto, there is hereby appropriated by the biennium ending August 31, 1967, all moneys allocated to the Foundation Program Fund by Senate Bill No. 117, Chapter 35, Acts Fifty-First Legislature, 1949, (Article 7083a, Section 2 (4-a), V.T.C.S.) as amended, and any balances remaining in the Foundation School Fund at the end of each fiscal year, to pay the State's part of the Foundation School Program as provided for in Senate Bill No. 116, Chapter 334, Acts Fifty-

First Legislature, Regular Session, 1949, as amended.

There is hereby specifically appropriated out of any moneys in the General Revenue Fund not otherwise appropriated the amount necessary for each month if on a monthly basis, or each year if on a yearly basis, of the biennium ending August 31, 1967, to pay the full amounts contemplated and provided by Senate Bill No. 117, Chapter 335, Acts Fifty-First Legislature, Regular Session, as amended, should there be insufficient money in the Fund created by said Senate Bill 117 to carry out in full the purposes and provisions of said Senate Bill No. 117 and Senate Bill No. 116, supra, as amended. The above appropriation shall be expended under the terms and provisions of said Senate Bill 116 and Senate Bill 117, as amended, and by the same officers named therein respectively.

Sec. 4. Established hereby is a program to provide supplemental State salary aid to public free school districts in addition to funds provided under any other provision of the laws or Constitution of this State.

Purpose of this supplementary aid program: To encourage higher salaries for classroom teachers as defined herein, of grades one through twelve.

(1) 'Classroom teacher' for purposes of this program shall mean any professionally qualified teacher employed full time by a school district and spending at least one-half of his working time in actual instruction of pupils in regularly organized and scheduled classes, vocational and exceptional teachers included.

(2) Entitlement of each district for supplemental State aid authorized herein shall be determined by adding the number of classroom, vocational and exceptional teacher units allocated only to districts eligible under those provisions of Foundation School Program Act, (compiled subsections (1), (2) and (4) of Section 1, Article 2922-13, V.T.C.S., as amended), and multiplying the sum of all such classroom teachers as herein defined by Twenty-Five (\$25) Dollars in each of the school years 1965-66 and 1966-67; and in each school year thereafter by Fifty (\$50) Dollars.

(3) A school district may establish eligibility to receive funds to the amount determined under above section (2) by submitting to the Central

Education Agency a plan which shall meet the following conditions:

(a) State funds to be utilized as salary from amount determined under above section (2) shall constitute not more than the same percentage of the total amount disbursed as supplemental salary to classroom teachers as the State share of the Foundation School Program bears to the total cost of the Foundation School Program in each participating school district; and

(b) All funds received as supplemental salary aid shall be paid as supplemental salary to persons who qualify as classroom teachers and of districts as defined in above sections (1) and (2); and

(c) Supplemental salary paid to any such classroom teacher shall be in addition to the salary to which such teacher is entitled under the regularly established salary policy of the school district; and

(d) Not less than ten (10%) of such classroom teachers employed by the school district shall participate in the State aid supplemental salary funds disbursed to any district, and no classroom teacher shall receive less than Fifty (\$50) Dollars therefrom or in excess of Five Hundred (\$500) Dollars in the 1965-66 and 1966-67 school years; and in any school year thereafter, no teacher shall receive less than One Hundred (\$100) Dollars or in excess of One Thousand (\$1,000) Dollars.

(4) On or before its first meeting day of the fiscal year beginning September, 1965, and September 1st of each fiscal year thereafter, the State Board of Education shall certify to the Comptroller of Public Accounts the amount of money required to meet the provisions of this salary aid program. Upon receipt of the certification or as soon thereafter as possible, the Comptroller shall cause to be set aside from funds collected or to be collected and credited to the General Revenue Fund a sum sufficient to meet such certification, and such sum(s) as so certified are hereby appropriated therefor. Any funds remaining unexpended and unencumbered in this salary program account on the last working day of the 1965-66 fiscal year and each fiscal year thereafter shall be credited to the General Revenue Fund.

Section 5. (a). There is hereby established the Governor's Committee on Public School Education to be

comprised of fifteen (15) members appointed by the Governor. The Governor shall designate the Chairman of the Committee, and Committee members shall serve from the date of their respective appointments until August 31, 1968. Members of the Committee shall serve without compensation, but each shall receive reimbursement for actual travel expense when on official business of the Committee.

(b). A majority of the Committee shall constitute a quorum. The Governor shall call the first meeting of the Committee immediately after a majority of the members have accepted appointment, and at that time the members shall elect a Vice-Chairman from among their number and adopt procedural rules governing membership and committee conduct. The Committee may create advisory committees to efficiently and effectively perform the duties and responsibilities imposed by this Act.

(c). The Committee shall study the status of public school education in light of present organizational and philosophical structures within the framework of the Texas Foundation School Program, and shall develop, formulate and recommend to the Governor and the Legislature a definite long-range plan that will enable Texas to emerge as a National leader in educational aspiration, commitment and achievement. The Committee shall conduct a pervasive inquiry into every facet of Texas public elementary and secondary education.

(d). The Committee shall appoint a Director qualified by broad experience in the field of public education, and he shall employ or contract for professional, technical and clerical staff necessary to accomplish the goals of this Act. The Committee shall also provide the Director with consultants in those areas of Committee inquiry requiring specialized knowledge and extensive experience in elementary and secondary education. The Committee is hereby appropriated, for the fiscal year ending August 31, 1966, from the general revenue fund the sum of \$100,000. For the fiscal year ending August 31, 1967, there is hereby appropriated from the general revenue fund the sum of \$150,000 plus the unexpected balance for the preceding fiscal year to carry out the work of the study.

(e) In a manner consistent with the objectives of the Elementary and

Secondary Education Act of 1965, the State Board of Education is directed to seek basic grants from Title V of the Elementary and Secondary education Act of 1965 (Public Law 89-10) to finance studies and activities of the Committee and of the State Board of Education.

The State Board of Education and the Committee shall coordinate their efforts and the State Board of Education shall cooperate with the Committee, and shall furnish professional, technical and clerical staff when deemed necessary to implement the joint efforts of the Committee and the State Board of Education.

(f). Every State agency, department and institution and every State, county and school district official is directed to provide such information as may be requested by the Committee, and to assist the Committee in accomplishing its objectives.

(g). The Committee shall report the results of its study and make recommendations to the Governor and to each member of the Legislature not later than August 31, 1968.

(h). The Committee may contract with other State governmental agencies, with agencies of the U. S. Government and with corporations and individuals as authorized by law.

The Committee may accept gifts, grants or donations of personal property from any individual, group, association, corporation or the Federal Government, and such funds as are received shall be deposited in the State Treasury, and are hereby appropriated to be expended in accordance with the specific purpose for which given and under such conditions as may be imposed by the donor or as may be provided by law.

Sec. 6. If any provision of this Act, or the application to any person or circumstance is held invalid, this invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

Sec. 7. The fact that public school education is a vital governmental function and the fact that there is a great need to encourage a high level of educational services create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be sus-

pended, and said Rule is suspended, and this Act shall take effect from and after its passage, and it is so enacted.

STRONG
AIKIN

The amendment was read and was adopted.

Senator Strong offered the following amendment to the bill:

Amend C. S. S. B. No. 4 by striking out all above the enactment clause and substitute in lieu thereof the following:

An Act to amend subsection 1 of Section 1 of Article IV, and Sections 2 and 4 of Article VI, Senate Bill 116, Chapter 334, 51st Legislature, Regular Session, 1949, as last amended by Senate Bill No. 1, Chapter 1, Acts 57th Legislature, Second Called Session, 1961, so as to improve the minimum teacher salary schedule in the Foundation Program Act; providing for the local fund assignment for the school year 1965-66 on a specific basis, thereafter to be determined on a prescribed formula; providing an appropriation in supplement and support thereof; establishing and authorizing procedure relative to a supplemental State-aid salary program for classroom teachers as defined herein for the biennium 1965-1967 and thereafter; providing an appropriation for such supplemental salary aid program from the General Revenue Fund on proper annual certification by State Board of Education of certain sum required; creating a Governor's Committee for a comprehensive study and report on elementary and secondary education, vesting it with certain duties, powers and responsibilities, requiring cooperation of school authorities, and providing for certain expenses; giving the Committee authority to accept grants and donations; and providing for an appropriation to support the work and functions of the Committee; providing a savings and severability clause; and declaring an emergency.

STRONG
AIKIN

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

**Committee Substitute
Senate Bill 4 on Third Reading**

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kazen
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Snelson
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	Word
Hightower	

Absent—Excused

Kennard	Schwartz
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Co-authors of Senate Bill 4

On motion of Senator Strong and by unanimous consent the following Senators will be shown as Co-Authors of S. B. No. 4:

Senators Calhoun, Cole, Creighton, Dies, Hazlewood, Herring, Kennard, Krueger, Moore, Parkhouse, Richter, Spears, Strong and Hall.

Reports of Standing Committees

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 1098, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 1070, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 928, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 936, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1031, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 1147, have had the

same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation to which was referred H. B. No. 1112, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 17, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 461, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PARKHOUSE, Chairman.

House Bill 1112 Ordered Not Printed

On motion of Senator Colson and by unanimous consent H. B. No. 1112 was ordered not printed.

House Bill 1070 Ordered Not Printed

On motion of Senator Colson and by unanimous consent H. B. No. 1070 was ordered not printed.

House Bill 1074 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 1074 was ordered not printed.

House Bill 936 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 936 was ordered not printed.

House Bill 1031 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 1031 was ordered not printed.

House Bill 362 Re-referred

On motion of Senator Hardeman and by unanimous consent H. B. No. 362 was withdrawn from the Committee on State Affairs and was re-referred to the Committee on Public Health.

Senate Bill 50 on Second Reading

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 50, A bill to be entitled "An Act to provide a sick leave policy for all teachers employed in the Texas Public Free Schools, setting out the Minimum Sick Leave Program, providing for reports to and administration through the Central Education Agency; providing for financing from the State Foundation School Fund; to take effect for the 1965-66 school year and thereafter; providing a severability clause, and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the passage of S. B. No. 50 to engrossment.

Senate Bill 50 on Third Reading

Senator Hall moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kazen
Bates	Krueger
Calhoun	Moore
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Nays—1

Parkhouse

Absent

Blanchard Crump

Absent—Excused

Kennard Schwartz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the final passage of S. B. No. 50.

House Bill 940 Re-referred

On motion of Senator Spears and by unanimous consent H. B. No. 940 was withdrawn from the Committee on Finance and was re-referred to the Committee on Counties, Cities and Towns.

Memorial Resolution

S. R. No. 698—By Senator Watson: Memorial resolution for Colonel Leonard Williams.

Welcome Resolutions

S. R. No. 691—By Senator Harrington: Extending welcome to Everett Parker of Port Arthur.

S. R. No. 692—By Senator Snelson: Extending welcome to Jackie Blackstock et al. of El Paso.

S. R. No. 695—By Senator Alkin: Extending welcome to Paul Wells and

the Honorable T. D. Wells of Paris.
S. R. No. 697—By Senator Hall: Extending welcome to Mrs. T. S. Myrick, et al., of Muenster, Cooke County.

Recess

On motion of Senator Hardeman the Senate at 5:10 o'clock p.m. took recess until 9:00 o'clock a.m. tomorrow.

APPENDIX

Report of Standing Committee

Senator Hardeman submitted the following report:

Austin, Texas,
May 17, 1935.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 401, An Act relating to the terms of office of School Trustees in certain school districts; choosing terms by lots; providing for subsequent elections and filling of vacancies; providing that provisions of this Act shall be cumulative; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to the Governor

May 17, 1935

S. B. No. 401

In Memory of
Senator Carl C. Hardin, Sr.

Senator Herring offered the following resolution:

(Senate Concurrent Resolution 103)

Whereas, The entire State of Texas suffered a great loss on Tuesday, May 11, 1965, by the death of former State Senator Carl C. Hardin, Sr., 84, widely known and highly respected President of the Texas Society of Trade Association Executives at the time of his death; and

Whereas, He was a native of Lone Oak in Hunt County and a graduate of Add-Ran and Tarleton Colleges; after completing his formal education, he went into banking and the retail drug business in Stephenville, and then into state service in the Texas Legislature; and

Whereas, This energetic business leader, who had served in the Texas Legislature for 28 sessions, including special sessions, was first elected to the House of Representatives from Erath County in 1923, and served in that body and then in the Senate until 1933; and

Whereas, During the depression, he was personnel director for the original Texas Relief Commission, and later became associated with transportation interests; and

Whereas, Senator Hardin, during his tenure in the Texas Legislature, gained the reputation of being an able, outstanding and effective representative of the people of his district, and was well liked and respected by his colleagues in both the House and the Senate; and

Whereas, The Texas Legislature wishes to pay tribute to this eminent Texan, outstanding businessman, and devoted public servant, who accomplished so much for his state during his service in the House of Representatives and the Senate; now, therefore, be it

Resolved, by the Senate of the 59th Legislature, the House of Representatives concurring, That the Texas Legislature extends sympathy to the Hardin family and by this Resolution recognizes the life and service of Carl C. Hardin, Sr.; and be it further

Resolved, That copies of this Resolution be prepared for his wife, Mrs. Stella Davis Hardin of Austin; and his two sons, Carl C. Hardin, Jr. and Richard Davis Hardin, both of Austin, and that when the Senate and the House of Representatives adjourn this day, that they do so in memory of Carl C. Hardin, Sr.

HERRING

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Word and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.